FEDERAL REGISTER

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Washington, Thursday, March 4, 1954

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-231-A4]

PART 943—MILK IN THE NORTH TEXAS MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 943.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the North Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective not later than March 1, 1954. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the orderly marketing of available milk supplies. Accordingly, any further delay in the effective date of this order amending the order, as amended, will seriously impair the orderly marketing of milk produced for the North Texas, marketing area. The regulatory provisions of this order amending the order, as amended, are such that little or no preparation prior to its effective date will be required of handlers regulated thereunder. Under these circumstances the handlers will be afforded reasonable time for any such preparations as may be necessary. Therefore, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order amending the order, as amended, until at least 30 days after its publication in the FEDERAL REGISTER, and good cause exists, pursuant to section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1000) for making this order amending the order, as amended, effective March 1, 1954.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, as amended, and as hereby further amended, which is marketed within the North Texas, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing

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FEDERAL REGISTER

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agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (January 1954) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 943.51 (b) by inserting "March 1954" immediately preceding "April, May and June".

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 26th day of February 1954 to be effective on and after March 1, 1954.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 54-1513; Filed, Mar. 3, 1954; 8:47 a. m.]

PART 972—MILK IN THE TRI-STATE MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Tri-State marketing area, hereinafter referred to as the "order," it is hereby found and determined that the provisions appearing in § 972.41 (b) of such order do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions thereof for the months of March and April 1954.

A public hearing was held at Gallipolis, Ohio, on February 18 and 19, 1954. A main purpose of this hearing, as first announced on January 18, 1954 in connection with a suspension of § 972.41 (b) of the order for the month of February 1954, was the consideration of the effects of such provisions of the order on the level of the Class I price. The public hearing was attended by a number of handlers regulated under the order, counsel for several handlers, representatives and counsel for cooperative associations having members who are producers as defined in the order, government representatives, and others. The findings set forth below are made on the basis of evidence adduced at the public hearing.

The provisions of § 972.41 (b) are intended to result in automatic Class I and Class II price adjustments as market supplies of producer milk change in relation to the quantity of Class I milk sold. As a measure of changes in the "supply-demand ratio" from a norm, the percentage of supplies to sales in a recent two-month period is compared with a "standard-utilization percentage." Certain revisions in other provisions of the order, including the introduction on November 1, 1953 of "individual-handler" pools to replace the former "marketwide" pool, and expansion of the marketing area, and the adoption of a revised definition of "fluid milk plant" to take effect May 1, 1954, were adopted following a public hearing held in May 1953. Mainly as the result of such changes in the regulatory program certain supply and marketing adjustments are taking place within both the Tri-State milkshed and Tri-State marketing area. However, during the months of November and December 1953 handlers in the marketing area required a quantity of milk for Class I and Class II uses equivalent to 104.8 percent of the available supply of producer milk. The rapid expansion of population in the area adjacent to the atomic energy plant under construction in Pike County, Ohio, should result in a need for additional milk supplies at plants in certain segments of the marketing area for a substantial period in the future. In the circumstances prevailing the standard utilization percentages now effective under § 972.41 (b) do not perform to accurately measure supply changes in relation to market demand and for the months of March and April 1954 will have an adverse effect on the class price differentials in the probable amount of 28 cents per hundredweight even though other source milk still is being received in substantial quantities in portions of the marketing area during many months of the year for use as Class I and Class II milk. It is found and determined therefore that the issuance of this order to suspend the application of such provisions for March and April 1954 is necessary to reflect current marketing conditions and to facilitate, promote, and maintain the orderly marketing of milk produced for the said marketing area. The changes caused by this suspension order do not require of persons affected substantial or extensive preparation prior to its effective date. Revision of the order, based upon the proposed amendments submitted at the hearing on February 18 and 19, is under present consideration. Therefore, a suspension order issued at this time need not apply to months subsequent to April 1954.

It is therefore ordered, That the provisions of the order (No. 72), as amended, regulating the handling of milk in the Tri-State marketing area which appear in § 972.41 (b) be and they are hereby suspended in their entirety for the months of March and April 1954.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 26th day of February 1954.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 54-1514; Filed, Mar. 3, 1954; 8:47 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter V—Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

IMPORTATIONS

The Foreign Assets Control Regulations, 31 CFR 500.101 to 500.808, are hereby amended by the amendment of § 500.204. The principal effect of this amendment is to add bristle paint brushes valued at more than twenty-four dollars per dozen to the lists of commodities dealings in which are prohibited except under license. Other items added to the prohibited lists are: Yak hair, Castor bean, and Castor oil.

§ 500.204 *Importation of and dealings in certain merchandise.* (a) Except as specifically authorized by the Secretary of the Treasury (or any person, agency, or instrumentality designated by him) by means of regulations, or rulings, instructions, licenses, or otherwise, no person subject to the jurisdiction of the United States may purchase, transport, import, or otherwise deal in or engage in any transaction with respect to any merchandise outside the United States if such merchandise is:

* * * * *

(2) Merchandise specified in this subparagraph, however processed, unless such merchandise is imported directly from a country named as excepted for that type of merchandise:

Type of merchandise:	*Exceptions*
(i) All merchandise, not elsewhere specified in this paragraph, if prior to Dec. 17, 1950, imports thereof into the United States were chiefly of Chinese origin within the meaning of this chapter, and	None
(ii) All of the following specified types of merchandise:	
* * * * *	
Brushes, paint (containing hog bristles) valued at more than twenty four dollars ($24.00) per dozen	None
* * * * *	
Yak hair	None

(3) Merchandise specified in this subparagraph, howsoever processed, if such merchandise is or has been located in or transported from or through Hong Kong, Macao, or any country not in the authorized trade territory.

Type of merchandise:
* * * * *
Castor bean
Castor oil
* * * * *

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205; 3 CFR, 1943 Cum. Supp. E. O. 9389, Aug. 20, 1948, 13 F. R. 4891; 3 CFR, 1948 Supp.)

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 54-1537; Filed, Mar. 5, 1954; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt 67]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest and therefore is not required

Part 609 is amended as follows:

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No ; effective date	Initial approach to facility from—	Course and dis tance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting dis tances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at author ized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
ABERDEEN, S. DAK Aberdeen, 1,300′ SBRAZ-VDT ABR-LFR Procedure No. 1 March 10 1954	Aberdeen VOR	245—2 5	2 400	E side S course: 161° outbound 341° inbound. 2 400′ within 25 miles	1 900	341—2 6	T-dn C-dn S-d 35 S-n 35 A-dn	300-1 500-1 500-1 500-1 800-2	300-1 500-1½ 500-1 500-1½ 800-2	Within 2.6 miles, climb to 2 800′ on N course within 25 miles

2 The automatic direction finding procedures prescribed in § 609 9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and latitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No ; effective date	Initial approach to facility from—	Course and dis tance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting dis tances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to air port	Ceiling and visibility minimums			If visual contact not established at author ized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h.	
1	2	3	4	5	6	7	8	9	10	11
CEDAR RAPIDS IOWA Municipal 863′ "H"-CID Procedure No. 1 March 10 1954	Iowa City VOR	349—26 0	2 000	S side of course: 260° outbound 80° inbound. 2 000′ within 25 miles	1 460	On airport	T-dn C-d C-n A-dn	300-1 600-1 600-2 800-2	300-1 600-1½ 600-2 800-2	Within 0 mile, climb to 2,000′ on 80° track within 25 miles of CID "H" facility
DES MOINES IOWA Des Moines 957 LOM-DS Procedure No. 1 December 25 1953	PROCEDURE SUPERSEDED BY COMBINATION ILS-ADF PROCEDURE NO 1 DATED FEBRUARY 12 1954.									

The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept ion inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m p.h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
DES MOINES, IOWA Des Moines 957' ILS—DSM LOM-DS Procedure No 1 Combination ILS-ADF February 12, 1954	Des Moines LFR	LOM	102—3 0	2,300	E side of course: 124° outbound 304° inbound 2 300' within 10 miles	ILS 2,300	2,320—4 7	1,180—0 6	T-dn*	300-1	300-1	Within 4.7 miles (ADF) climb to 2,600' on NW course ILS or on outbound course of 304° from LOM within 25 miles, or when directed by ATC. Make left climbing turn, climb to 2 600' on W course of DSM-LFR. CAUTION: 1,560' MSL tower 3 2 miles NNE of airport. *When tower not visible on N, NW, E and NE takeoffs, climb to 2,100 prior to turning toward tower
	Des Moines VOR	LOM	040—4 5	2,300		ADF 2,300			C-dn	500-1	500-1½	
	Martensdale FM	LOM	030—9 0	2,300					S-dn 31 ILS	400-¾	400-¾	
	Int. N course DSM LFR and SE course ILS	LOM	124—4.0	2,300					ADF	500-1	500-1	
	Int. E course DSM LFR and SE course ILS	LOM	124—2 0	2,300					A-dn	800-2	800-2	
	Int. 258° course to DSM-VOR and 304° course to LOM	LOM	304—3.5	2,300								
	Int. 130° course to DSM-VOR and 124° course LOM	LOM	124—3.8	2,300								
	Int. 284° course to DSM-VOR and 304° course to LOM (final)	LOM	304—11.0	2,300								
FLINT, MICH. Bishop Field, 781' ILS-FNT LOM-FN Procedure No 1 Combination ILS-ADF March 1, 1954	Int. N course RML-LFR and 180° bearing to LOM	LOM	180—10 0	2,000	S side of W course: 271° outbound. 091° inbound. 2 000' within 10 miles. 2,100' within 25 miles.	ILS 1,000	1078—4.7	082—0 71	T-dn	300-1	300-1	Within 4.7 miles climb to 2,000' on course of 115° within 25 miles of LOM No approach lights.
	Int. NW course OG-LFR and W course ZR-LFR	LOM	270—27 0	2,000		ADF 1,000			C-dn	500-1	500-1½	
	Int. N course RML-LFR and E course LAN-LFR.	LOM	331—23 0	2,000					S-dn 9 ILS	400-¾	400-¾	
	Lansing LFR	LOM	072—38.0	2,300					ADF	400-1	400-1	
									A-dn ILS ADF	800-2 800-2	800-2 800-2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(Sec 205, 52 Stat. 984, as amended; 49 U S C 425 Interpret or apply sec 601, 52 Stat 1007, as amended; 49 U S C 551)

[SEAL]

F B LEE,
Administrator of Civil Aeronautics

[F R Doc 54-1322; Filed, Mar 3, 1954; 8:55 a m.]

[Amdt 68]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows:

1 The very high frequency omnirange procedures prescribed in § 609 15 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DES MOINES, IOWA Des Moines, 957' BVOR-DSM Procedure No 1 March 1 1954	Des Moines LFR	173—4.2	2,100	E side of course: 168° outbound 348° inbound. 2 100' within 15 miles 2 200' within 25 miles	1 600	348—6 2	T-dn C-dn S-dn 35 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 6.2 miles, immediately turn left, climb to 2,600' on outbound course of 320° within 25 miles or when directed by ATC, make immediate left turn, climb to 2,400' on outbound course of 283° within 25 miles. CAUTION: 1,550' MSL TV tower located 3.2 miles NNE When TV tower not visible on takeoffs, on N, NW, E, and NE climb to 2,100' prior to turning toward TV tower
	Martensdale FM (final)	009—5.0	1,600							
THERMAL, CALIF. Municipal, 117' below MSL BVOR-DTV TRM Procedure No 1 March 8 1954	Int. 256° bearing to Ontario VOR and 145° bearing to Thermal VOR (Palm Springs Int)	145—21 0	7 000	E side course: 125° outbound 305° inbound. 3,000' within 15 miles Beyond 15 miles NA	1 380	305—0 0	T-d C-d A-d	300-1 1 500-3 1 500-3	300-1 1 500-3 1 500-3	Within 0.0 mile, turn right, climb to 9 000' on outbound track of 140°. SHUTTLE: To 4,000' on tracks of 125° outbound and 305° inbound within 15 miles All turns E of track
	Int. 037° bearing to Hayfield Rbn and 322° bearing to Thermal VOR (Salton Int)	322—15 0	4 000							

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(Sec 205 52 Stat 984, as amended; 49 U S C. 425 Interpret or apply sec 601, 52 Stat 1007, as amended; 49 U S C 551)

[SEAL]

F. B LEE,
Administrator of Civil Aeronautics

[F. R Doc 54-1503; Filed Mar 3 1954; 8:45 a m]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 501—GENERAL RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

Part 501 contains certain sections which require amending either by reason of organizational redesignations in the Office of Alien Property or the cessation of vesting functions or to modify controls over vested property It is hereby found that the amendatory requirements relate either to public property or to agency management or relieve existing requirements and that notice, hearing and suspension of applicability are therefore either not required or are unnecessary

1 Section 501 17 states that copies of process or notice in any judicial or administrative action or proceeding concerning property in which certain classes of former enemy nationals had an interest on December 31 1946 shall be furnished the Office of Alien Property. This requirement relates to both vested and unvested property in which such persons had an interest on that date. It is no longer necessary with respect to unvested property and the section may be amended accordingly It is also appropriate to amend § 501 17 so as to require that copies of all process accountings or notices with respect to any vested property or interest which either is in the process of judicially supervised administration or is involved in any court or administrative proceeding be furnished the Office of Alien Property Accordingly, § 501 17 is amended to read as follows:

§ 501 17 *Copy of process or accounting or notice required to be sent to the Office of Alien Property in certain cases* (a) Copy of any process accounting or notice in any court or administrative action or proceeding involving property which has been vested in or transferred to the Alien Property Custodian or the Attorney General of the United States must be sent by registered mail to the Office of Alien Property Department of

Justice, Washington 25, D. C., not less than thirty days prior to the date on which action pursuant to such process, accounting or notice is to be taken.

(b) Such process or accounting or notice shall otherwise conform to the rules, orders or practice of the court or administrative body issuing such process or notice or in which such accounting is filed.

2. Section 501.25 (a) (3) states that the Chief, Management and Liquidation Branch, may advertise sales of vested property in such publications as he deems appropriate. This authority now has been conferred on the Chief, Liquidation Section, Office of Alien Property, as successor to the Chief, Management and Liquidation Branch. Accordingly, § 501.25 (a) (3) is hereby amended to read as follows:

§ 501.25 *Uniform procedure for sales of vested property*—(a) *General sales.* * * *

(3) *Advertising.* At least 15 days before opening of bids, each sale shall be advertised in a newspaper of general circulation in the locality where the property or the major portion thereof is located and it may also be advertised in such other publications as the Chief, Liquidation Section, Office of Alien Property, may deem appropriate.

3. Section 501.45 states that applications for renewals of permission by the Office of Alien Property for transactions of a continuing nature shall be filed with the appropriate branch or section of the Office. The branches of the Office of Alien Property have been redesignated as sections and the licensing functions with respect to property blocked under Executive Order 8389, as amended, over which the Office exercises controls by virtue of Executive Orders 9989 and 10348, formerly administered in the Intercustodial and Property Branch of the Office, are now administered by the Intercustodial and Foreign Funds Officer in the Office of the Director. Accordingly, § 501.45 is hereby amended to read as follows:

§ 501.45 *Renewal of licenses.* Application for renewal of any license, authorization, permit, certificate, approval, registration, or other form of permission, with reference to an activity of a continuing nature, shall be filed with the Office of Alien Property, Washington 25, D. C., not less than thirty days prior to the expiration date thereof, unless otherwise provided therein. In the case of permissions originally granted for less than 45 days, the activity shall be deemed not to be of a continuing nature, and the permission shall be nonrenewable, except as may be otherwise expressly provided.

4. Section 501.50 (b) states that applications for license to engage in transactions with respect to property controlled by the Office of Alien Property pursuant to jurisdiction conferred by Executive Order 9989 shall be filed with either the New York Office of the Office of Alien Property or the Office of Alien Property in Washington, D. C. The jurisdiction conferred by Executive Order 9989 has been continued in force by Executive Order 10348 (3 CFR, 1952 Supp.). There no longer is a New York Office and all such applications should now be filed with the Office of Alien Property in Washington, D. C. Accordingly § 501.50 (b) is hereby amended to read as follows:

§ 501.50 *Licensing.* * * *

(b) Transactions with respect to property over which jurisdiction has been transferred by Executive Order 9989 (3 CFR, 1948 Supp.), and continued in force by Executive Order 10348 (3 CFR, 1952 Supp.), not authorized by general licenses or other public documents, may be effected only under specific licenses. Applications for specific licenses shall be filed in duplicate on Form OAP–200 with the Office of Alien Property, Washington 25, D. C.

5. Section 501.80 states various forms authorized for use by the public. Among these are certain ones relating to reporting requirements incident to investigations of vestable property and the initial phase of administration of vested property. Inasmuch as the Office is no longer vesting property and as the initial phase of administration is completed, continued published reference to such forms is unnecessary. Accordingly, the following forms are hereby declared to be non-current and reference thereto in § 501.80 is hereby revoked:

§ 501.80 *Forms.*

* * * * *

Form APC–2, *Report of Interests in Patents.*

Form APC–3, *Report by Persons Acting Under Judicial Supervision.*

Form APC–19, *Report of Liability for Royalty Payments on Patents.*

Form APC–45, *Report of Royalty Payments on Copyrights Prior to Vesting.*

Form APC–50, *Report of Royalty Payments on Trade-Marks Prior to Vesting.*

Form APC–56, Series A, B, C, D, E, F, G, and H—*Report of German and Japanese Property in the United States.*

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 418, 925, 64 Stat. 1079, 1116; 50 U. S. C. App. and Sup. 1–40, 22 U. S. C. and Sup. 1382. E. O. 8389, April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943 Cum. Supp.; E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.; E. O. 9818, January 1, 1947, 12 F. R. 133, 3 CFR, 1947 Supp., E. O. 9921, January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp., E. O. 9989, August 20, 1948, 13 F. R. 4931, 3 CFR, 1948 Supp., Proc. 2914, December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp., E. O. 10244, May 17, 1951, 16 F. R. 4639, 3 CFR, 1951 Supp., E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp.; E. O. 10348, April 26, 1952, 17 F. R. 3709, 3 CFR, 1952 Supp.)

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PART 503—AVAILABILITY OF RECORDS

MISCELLANEOUS AMENDMENTS

Part 503 contains certain rules requiring amendment due to organizational redesignations in the Office of Alien Property. It is hereby found that the amendatory requirements relate to agency management and that notice, hearing and suspension of applicability are therefore not required.

1. Section 503.1 (d) states that persons desiring to inspect or copy patent applications filed by former enemy nationals may submit petitions for authorizations to do so to the Patent Section of the Office of Alien Property. The functions formerly administered in the Patent Section are now administered in the Legal and Legislative Section of the Office and the petitions to inspect or copy should now be submitted to that Section. Accordingly, § 503.1 (d) is hereby amended to read as follows:

§ 503.1 *Official records available to the public.* * * *

(d) *Patent applications.* Any person may petition for permission to inspect or copy a vested patent application filed by a national of Germany, Japan, Bulgaria, Hungary or Rumania. Petitions should be submitted to Legal and Legislative Section, Office of Alien Property, Washington 25, D. C., on a form which that Section will provide on request. Petitions will ordinarily be granted upon a showing of proper interest unless:

(1) A title claim is pending with respect to such patent application, or

(2) The patent application is involved in litigation, or

(3) An American national has filed a patent application which may be in interference with such patent application.

2. Section 503.17 stated that branch chiefs of the Office and the Manager, New York Office, among others, are severally authorized to make available or disclose certain classes of confidential material in the Office of Alien Property. Branches of the Office have been redesignated as sections which are under the supervision of section chiefs and certain functions of the former Intercustodial and Property Branch are now administered by the Intercustodial and Foreign Funds Officer. There no longer is a New York Office. Accordingly, § 503.17 is hereby amended to read as follows:

§ 503.17 *General rule as to non-availability of records of the Office of Alien Property.* All official files, documents, records and information in the Office of Alien Property, or in the custody or control of any officer, employee, agent or delegate of the Office of Alien Property, are to be regarded as confidential. No officer, employee, agent or delegate may permit the disclosure or use of the same for any purpose other than for the performance of his official duties, except in the discretion of the Attorney General, the Deputy Attorney General, the Director, or the Deputy Director, of the Office of Alien Property: *Provided, however,* That each section chief, the Intercustodial and Foreign Funds Officer, the Manager, Hawaii Office, and the Mana-

ger, Philippine Office, are authorized to make available or disclose such official files, documents, records and information in the Office of Alien Property, other than classified security information, in the conduct of affairs of his section, office, or function unless otherwise instructed by the Director. Whenever a subpoena duces tecum is served to produce any such files, documents, records or information, the officer, or employee, or agent, or delegate on whom such subpoena is served, unless otherwise expressly directed by the Attorney General, will appear in court in answer thereto and respectfully decline to produce the records specified therein, on the ground that the disclosure of such records is prohibited by this section.

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 418, 925, 64 Stat. 1079, 1116; 50 U. S. C. App. and Sup. 1-40, 22 U. S. C. and Sup. 1382. E. O. 8389, April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943 Cum. Supp., E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp., E. O. 9818, January 1, 1947, 12 F. R. 133, 3 CFR, 1947 Supp., E. O. 9921, January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp., E. O. 9989, August 20, 1948, 13 F. R. 4981, 3 CFR, 1948 Supp., Proc. 2914, December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp., E. O. 10244, May 17, 1951, 16 F. R. 4639, 3 CFR, 1951 Supp., E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp., E. O. 10348, April 26, 1952, 17 F. R. 3769, 3 CFR, 1952 Supp.)

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PART 506—PROPERTY IN PROCESS OF JUDICIALLY SUPERVISED ADMINISTRATION OR IN COURT OR ADMINISTRATIVE PROCEEDINGS

REVOCATION OF REGULATIONS

Part 506 consists of § 506.1 which states that distribution to certain countries and nationals thereof pursuant to judicial or administrative actions or proceedings, or partition, libel, condemnation or similar proceedings, are conditioned on consent, disclaimer or nonaction for a stated period of time by the Office of Alien Property. One of the purposes of this section was to enable the Office to determine whether to represent the country or national in such actions or proceedings. The other purpose of this section was to direct attention to the conditions under which transactions with respect to the defined classes of property might be effected.

This Office no longer performs representational functions. The prohibition of transactions with respect to vested property or interests in process of judicially supervised administration or in court or administrative proceedings is set forth in § 505.1 (a) (1) of this chapter and the scope of authorized transactions with respect to unvested property or interests in such categories is set forth in Part 511 of this chapter. It is hereby found that Part 506 is no longer required and should be revoked and that since revocation will relieve existing requirements notice, hearing and suspension of applicability are unnecessary. Accordingly Part 506, Property in Process of Judicially Supervised Administration or in Court or Administrative Proceedings, is hereby revoked.

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 418, 925, 64 Stat. 1079, 1116; 50 U. S. C. App. and Sup. 1-40; 22 U. S. C. and Sup. 1382. E. O. 8389, April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943 Cum. Supp., E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp., E. O. 9818, January 1, 1947, 12 F. R. 133, 3 CFR, 1947 Supp., E. O. 9921, January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp., E. O. 9989, August 20, 1948, 13 F. R. 4981, 3 CFR, 1948 Supp., Proc. 2914, December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp., E. O. 10244, May 17, 1951, 16 F. R. 4639, 3 CFR, 1951 Supp., E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp., E. O. 10348, April 26, 1952, 17 F. R. 3769, 3 CFR, 1952 Supp.)

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PART 510—REPORTS

MISCELLANEOUS AMENDMENTS

It is hereby found that the following revocations and amendments to Part 510 either relate to public property or relieve existing requirements and that notice, hearing and suspension of applicability therefore are either not required or are necessary.

1. Section 510.1 states that reports on Form APC-3 are required with respect to property or interests of certain countries or nationals thereof involved in judicial or administrative actions or proceedings, or in partition, libel, condemnation or similar proceedings. The purpose of this requirement was to enable this Office to determine whether vestible property or interests existed. Vesting of such property or interests has ceased. Accordingly § 501.1 *Reports with respect to property or interests of Germany, Japan, nationals thereof and citizens or subjects of either country within Italy, Bulgaria, Hungary, or Rumania* is hereby revoked.

2. Section 510.30 states that reports on Form APC-19 and on Form OAP-20 are required concerning royalties payable under vested patents, patent applications or agreements related to patents or patent applications. Form APC-19 is for use in initially reporting coincident with vesting and Form OAP-20 is used for subsequent periodic reports. Vesting of patents, patent applications and agreements relating to patents or patent applications has ceased and continued reference to Form APC-19 is not necessary. Accordingly, § 510.30 is hereby amended to read as follows:

§ 510.30 *Report of royalties due and payable under vested patent rights.* (a) In any case in which the Attorney General is entitled to receive royalties under a vested patent, patent application or interest in an agreement with respect to a patent or patent application, any person obligated to pay such royalties shall make payment thereof to the Office of Alien Property, Washington 25, D. C. as they become due. Payments shall be accompanied by reports on Form OAP-20, in triplicate.

(b) As used in this section the terms:

(1) "Royalty" shall include serial payments under a license, assignment or other agreement; and

(2) "Agreement" shall include, without limitation, any contract of purchase or sale, any contract granting a right to obtain an assignment, any agreement to use or not to use, any license held or granted, any cross-license agreement, any royalty agreement, and any agreement as to quantity, price, territorial restrictions or field of use.

3. Section 510.46 states that reports on Form APC-50 and on Form APC-51 are required concerning royalties payable under vested interests in trade-marks, commercial prints or labels, or rights thereunder, or vested interests in agreements with respect to trade-marks, commercial prints or labels. Form APC-50 is for use in initially reporting coincident with vesting and Form APC-51 is used for subsequent periodic reports. Vesting of interests in trade-marks, commercial prints or labels, or of rights thereunder of interests in agreements with respect to the foregoing has ceased and continued reference to Form APC-50 is not necessary. Accordingly § 510.46 (a) is hereby amended to read as follows:

§ 510.46 *Report of royalties due and payable under vested interests in trade-marks, commercial prints and labels.* (a) In all cases in which the Attorney General is entitled to receive royalties by virtue of having vested an interest in a trade-mark, whether or not registered in the United States Patent Office, or in any commercial print or label, or right thereunder, or an interest in an agreement with respect to a registered or unregistered trade-mark, commercial print or label, persons obligated to pay such royalties shall make payments thereof to the Office of Alien Property, Washington 25, D. C. Payments shall be accompanied by reports on Form APC-51, in duplicate. Royalties shall be paid within ten days after the date they become due and payable. In making payments:

(1) Federal withholding taxes on such royalties shall not be paid by reporter to the Director of Internal Revenue and the amounts ordinarily withheld for such purposes shall be included in payments to the Office of Alien Property.

(2) Charges specifically authorized by the agreement under which the royalties are payable may be deducted by the reporter. Charges which are incurred subsequent to vesting and which are not

specifically authorized by the agreement shall not be deducted unless approved by or for the Director, Office of Alien Property, in writing.

4. Section 510.70 states that reports on Form APC–45 and on Form APC–46 are required concerning royalties payable under vested interests in works subject to copyright. Form APC–45 is for use in initially reporting coincident with vesting and Form APC–46 is used for subsequent periodic reports. Vesting of interests in works subject to copyright has ceased and continued reference to Form APC–45 is not necessary. Accordingly, § 510.70 (a) is hereby amended to read as follows:

§ 510.70 *Report of royalties due and payable under vested interests in works subject to copyright.* (a) In all cases in which the Attorney General is entitled to receive royalties by virtue of having vested an interest in a work subject to copyright, persons obliged to pay such royalties shall make payments thereof to the Office of Alien Property, Washington 25, D. C. Payments shall be accompanied by reports on Form APC–46, in duplicate. Royalties shall be paid within ten days after the date they become due and payable. In making payments:

(1) Federal withholding taxes on such royalties shall not be paid by reporter to the Director of Internal Revenue and the amounts ordinarily withheld for such purposes shall be included in the payments to the Office of Alien Property.

(2) Commissions and other charges may be deducted if authorized by the agreements under which the royalties are payable. Charges which are incurred subsequent to vesting and which are not authorized by the agreements shall not be deducted unless approved by or for the Director, Office of Alien Property, in writing.

5. Section 510.90 states that reports on Form APC–56 are required concerning property and interests of Germany, Japan and nationals thereof. The purpose of this requirement was to determine whether vestible property or interests existed. Vesting of property or interests of Germany, Japan and nationals thereof has ceased. Accordingly § 510.90 *Reports of property of Germany and Japan and any national thereof* is hereby revoked.

6. Section 510.92 is a partial exemption from the reporting requirement of § 510.90. In view of the revocation of § 510.90, continued publication of § 510.92 is not necessary. Accordingly § 510.92 *Non-applicability of § 510.90 to property acquired on or after January 1, 1947* is hereby revoked.

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 418, 925, 64 Stat. 1079, 1116; 50 U. S. C. App. and Sup. 1–40, 22 U. S. C. and Sup. 1382. E. O. 8389, April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943 Cum. Supp., E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp., E. O. 9818, January 1, 1947, 12 F. R. 133, 3 CFR, 1947 Supp., E. O. 9921, January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp., E. O. 9989, August 20, 1948, 13 F. R. 4931, 3 CFR, 1948 Supp.; Proc. 2914, December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp., E. O. 10244, May 17, 1951, 16 F. R. 4639, 3 CFR, 1951 Supp.; E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp.; E. O. 10348, April 26, 1952, 17 F. R. 3769, 3 CFR, 1952 Supp.)

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TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter A—Miscellaneous Regulations

PART 361—BRITISH TOKEN IMPORT PLAN

On February 10, 1954, proposed regulations of the Bureau of Foreign Commerce, Department of Commerce, to govern the operation of the British Token Import Plan for the year 1954 were published in the FEDERAL REGISTER (19 F. R. 770). All interested persons were invited by the Bureau of Foreign Commerce to submit, in writing, any views on the proposed regulations not later than February 25, 1954. Further notice was given to interested persons by the Bureau of Foreign Commerce, including opportunity to submit their views, by publication of the summary of the proposed regulations in the Foreign Commerce Weekly, issue of February 15, 1954, and by mailing a copy of the summary, the text of the proposed regulations, and related forms to all individuals and firms who had been certified as eligible under the 1953 Token Plan. After consideration of all of the views and comments which have been submitted, the Bureau of Foreign Commerce has adopted the proposed regulations with certain modifications.

Briefly, the modifications are formal rather than substantive in nature, except that a provision has been added to the effect that the Bureau of Foreign Commerce may also extend the June 30 time limit on submission of Token Quota Voucher applications with respect to any specific commodity group (and, therefore, in effect, for all firms certified in that commodity group) under certain conditions. In the opinion of the Bureau of Foreign Commerce, no further substantive revisions in the proposed regulations (19 F. R. 770) need be made at this time. It is believed that the final form of the regulations governing the operation of the British Token Import Plan for the year 1954, which is set forth below, will more effectively carry out the purposes of the Token Plan. It is recognized that actual experience with and under the regulations may demonstrate the desirability of additional changes.

Sec.

AUTHORITY: §§ 361.1 to 361.13 issued under R. S. 161; 5 U. S. C. 22.

§ 361.1 *Introduction.* The procedures governing administration of the British Token Import Plan, and the role of the Bureau of Foreign Commerce, Department of Commerce, therein, have been revised for the Plan year 1954 as set forth in this part.

§ 361.2 *What the Plan is.* (a) The "British Token Import Plan" is an arrangement with the British Government which permits United States manufacturers, their authorized agents, or other qualified exporters with established prewar trade connections in the United Kingdom (England, Scotland, Wales, and Northern Ireland) to export to that area token shipments of the specified commodities listed in § 361.13, the importation of which the British Government generally prohibits from dollar sources of supply under United Kingdom licensing procedure.

(b) Under the Plan, the British Government will permit imports in a yearly amount not to exceed 30 percent of the value of the average annual shipments of the specified commodities of each qualified exporter during a base period consisting of the years 1936, 1937, and 1938. The British Government requires appropriate evidence, issued under authority of the United States Government, that manufacturers wishing to take advantage of opportunities under the arrangement did in fact make shipments of the commodities to the United Kingdom during the base period. The Bureau of Foreign Commerce has agreed to act as certifying agent and issue appropriate certificates, in the form of token quota vouchers, which the exporter forwards to the British importer for presentation to the British Board of Trade as a basis for obtaining an import license. The procedure for obtaining certification for prewar exports is set forth in § 361.3.

(c) An overall national quota, mutually accepted by the Department of Commerce and the British Board of Trade, has been computed for each commodity group from official trade statistics for the base period years 1936, 1937 and 1938. Priority in the distribution of this overall national quota will continue to be given (as in prior years) until June 30 to those individuals and firms (hereinafter referred to as "firms") which are able to furnish appropriate evidence substantiating the value of their prewar trade with the United Kingdom during the base period in the specified commodities. However, such priority is

subject to the conditions set forth in § 361.4.

(d) In addition, the procedures make possible a limited participation by individuals and firms (hereinafter referred to as "firms") not having a prewar export base under certain conditions, as hereinafter more fully explained in § 361.7.

§ 361.3 *Procedure for obtaining certification for prewar exports*—(a) *Eligibility for certification.* (1) Manufacturers who exported items on the commodity list (§ 361.13) to the United Kingdom (England, Scotland, Wales, and Northern Ireland) during the base period 1936, 1937, and 1938, are eligible for certification under the Plan, in respect to those items. "Manufacturer" means an individual, firm, or corporation that manufactures products sold through established markets. Such manufacturers must themselves request certification under the Plan and not through any agent. However, manufacturers may, under the procedure set forth in § 361.4 (b) authorize an agent to make application for and to receive their Token Quota Vouchers, and to handle the distribution and sale of their products under the Token Plan.

(2) Firms, other than manufacturers, having an established export trade from the United States to the United Kingdom during the years 1936, 1937, and 1938 in items on the commodity list (§ 361.13), may be eligible for certification in respect to those items if they can demonstrate clearly that such trade was developed by them and not by a manufacturer. Firms, not manufacturers, which believe that they are eligible to participate in the Token Plan may request a determination of eligibility from the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. Such a request must fully identify their export connections with the United Kingdom during the years 1936, 1937, and 1938 and must contain a detailed description of the manner in which such trade was developed. Such firms must themselves and not through any agent request certification under the Plan. Moreover, it is expected that such firms will themselves actively participate in the distribution and sale to United Kingdom importers of the commodities for which certification is required.

(b) *Requests for Certification.* All applicants requesting certification under the British Token Import Plan are required to submit a "Request for Certification of Prewar Exports to the United Kingdom" Form FC 558.[1] Requests for Certification need be submitted only one time for each commodity group, unless otherwise required by the Bureau of Foreign Commerce. A separate Request for Certification (one copy only) must be submitted on Form FC 558[1] for each commodity group covered by the Plan. Requests for Certification must be submitted to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. prior to June 30; no applications will be considered after that time. Requests for Certification must be signed by one of the following persons: In the case of an individual owner, by that individual applicant; in the case of a partnership, by a partner; in the case of a corporation, by an officer. The quantity and value of exports listed on Form FC 558[1] by the applicant must cover only the permitted items of each commodity group shown on the commodity list (§ 361.13). The applicant must also certify that the statements contained in its Request are correct and complete and that the data supplied are information taken from verifiable records and other documentary evidence which are available for inspection by any duly authorized representative of the U. S. Department of Commerce. The name and title of the responsible official(s) designated to sign applications, on behalf of the applicant, for Token Quota Vouchers must also be stated on the Form. All applications should be filed as early in the year as possible.

(c) *Certificates of Eligibility.* (1) Firms certified as eligible to participate in the Token Plan on the basis of their prewar exports to the United Kingdom of items on the commodity list (§ 361.13) will be issued by the Bureau of Foreign Commerce at the beginning of the Plan year a Certificate of Eligibility, Form FC 926.[1] This Certificate will inform certified firms of the amount of quota in each commodity group(s) which has been reserved for them until June 30 of the Plan year. The quota specified on the Certificate will amount to 30 percent of the average annual value (to the nearest $25.00) of the certified firm's exports to the United Kingdom during the years 1936, 1937 and 1938 as shown by the verifiable figures listed in its "Request for Certification of Prewar Exports to the United Kingdom" Form FC 558.[1] In all cases, the Certificates of Eligibility when issued will be forwarded by the British Token Import Plan Unit directly to the certified firms named on them. Those certified firms which have appointed duly authorized agents in accordance with the provisions of § 361.4 (b) may transmit their Certificates of Eligibility to such agents if necessary to enable the agencies to carry out their functions under the Token Plan. A duplicate of the Certificate of Eligibility will be forwarded through the U. S. Embassy in London to the British Board of Trade and a triplicate retained by the British Token Import Plan Unit.

(2) Certificates of Eligibility serve only as a notice of the Token Plan quotas which will be made available to the eligible firm named on the Certificates (or in the case of manufacturers only, to their duly authorized agents) providing that such firms meet the conditions specified in § 361.4. These Certificates, by themselves, do not entitle the firms named on them to make any shipments under the Token Plan. Certificates of Eligibility are neither transferable nor negotiable; they apply only to the certified firms named on them.

§ 361.4 *Issuance of Token Quota Vouchers*—(a) *To certified firms.* (1) A Certificate of Eligibility entitles the United States firm named on the Certificate to apply prior to June 30, for one or more Token Quota Vouchers to the amount of the quota specified on the Certificate. Token Quota Vouchers serve the same purpose as token scrip issued in previous years by the Office of International Trade (now the Bureau of Foreign Commerce) under the Token Plan.[2] The British Board of Trade will issue import licenses to British importers on the basis of these Token Quota Vouchers.

(2) Token Quota Vouchers will be issued (to the nearest $5.00) by the Bureau of Foreign Commerce to firms which have received Certificates of Eligibility, providing that such firms have in their possession at the time they apply for the Vouchers an accepted order(s) from their British customer(s) for the amount of quota for which application is made. "Accepted order" means a contract with a British buyer involving the sale and purchase of the certified firm's products. In the case of a certified manufacturer or his authorized agent the products involved must be those produced by the certified manufacturer and by no other person or firm. Accepted orders may be conditioned upon the issuance of a Token Quota Voucher, or, a validated export license by the Department of Commerce (if such an export license is required for the commodity) or the issuance to the British importer of an import license by the British Board of Trade, or such other government document as may be required in connection with the transaction. Evidence of an "accepted order" must be in writing and consist of documents which set forth in definite terms the offer of the British buyer to buy and the U. S. seller's acceptance, or the acceptance by the British buyer of the United States seller's offer. Such documents may take the form of an original or photostatic copy of either the contract signed by both the U. S. seller and the British buyer, or of letters, telegrams, cables or other documents resulting in a contract between the parties. Such evidence must be kept available for production and inspection upon demand by any duly authorized representative of the Department of Commerce, and must be retained by the applicant for 3 years from the date of receipt by the Department of the application for Token Quota Vouchers covering the accepted orders. Where the export transaction does not involve a normal purchase and sale contract in the customary form or where for other stated reasons the term "accepted order" as used herein does not apply, the applicant must attach to its application a full description of the nature of the transaction.

(3) A separate application for a Token Quota Voucher must be submitted for each British customer. An application may be submitted for the full amount of

[1] Filed as part of the original document. Copies may be obtained upon request from the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

[2] See Title 15 Code of Federal Regulations, 1952 Supplement, § 361.2.

the accepted order or any part thereof. In addition, one application may list a number of accepted orders for items in the same commodity group placed by the same British customer. If applicant is certified in more than one commodity group, a separate application for a Token Quota Voucher must be made for each such commodity group and for each customer.

(4) Applications for Token Quota Vouchers must be made on FC Form 927,[1] "Application for Token Quota Voucher (Form A.—Firms Certified on Basis of Prewar Exports)" and must be signed by one of the following persons: the individual owner; a partner; a corporate officer; or other designated responsible official. Such applications must be submitted in duplicate to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. prior to June 30. In exceptional circumstances, the Bureau of Foreign Commerce will consider written requests from certified firms for a reasonable extension of the June 30th time limit on submission of Form FC 927,[1] "Application for Token Quota Voucher (Form A.—Firms Certified on Basis of Prewar Exports)". Such requests must be received by the British Token Import Plan Unit not later than June 15, and must contain a full and detailed explanation of the circumstances requiring the extension. The request, if granted, will apply only to that firm and for the current Token Plan year. The June 30th time limit on submission of Token Quota Voucher applications, Form FC 927,[1] may also be extended by the Bureau of Foreign Commerce with respect to any specific commodity group, where in its opinion such extension is warranted by the nature of the commodity or the general situation as to trade in that commodity. If such a general extension is made, notice thereof will be published promptly in the Foreign Commerce Weekly.

(5) The application for a Token Quota Voucher becomes the Token Quota Voucher only after it has been stamped with the Bureau of Foreign Commerce validation stamp, and returned to the applicant by the Bureau of Foreign Commerce. Any application form not so stamped, is not valid and will not be honored by the British Board of Trade. A validated copy of the application will be returned to the applicant to be forwarded by it to the British importer who has placed the accepted order, for attachment to the latter's Application for Import License.

(b) *To duly authorized agents* (1) A manufacturer who has been certified under the Token Plan and who has been issued a Certificate of Eligibility may authorize an agent to make application for and to receive Token Quota Vouchers against the manufacturer's Certificate of Eligibility on the same basis as described in paragraph (a) of this section. "Authorized agent" means an export merchant, export commissioner, or any other person who has been authorized by the manufacturer to handle products produced by that manufacturer.

(2) Such a certified manufacturer must submit a single copy of Form FC 929,[1] "Authorization of Agent to Act for Manufacturer" for each commodity group in which he elects to authorize an agent to act for him under the Token Plan. Such authorization will be considered valid for only one Plan year unless sooner modified or revoked by the manufacturer. Such forms must be submitted by the certified manufacturer to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Washington 25, D. C.

(3) Certified firms, other than manufacturers, may not authorize an agent to make application for and to receive any Token Quota Vouchers available to them.

§ 361.5 *Use and transfer of Token Quota Vouchers*—(a) *By certified manufacturers.* Token Quota Vouchers are neither transferable nor negotiable. Vouchers are issued to a certified manufacturer or to his duly authorized agent on the basis of accepted orders from his British customer for products produced by that manufacturer. This means that Token Quota Vouchers issued by the Bureau of Foreign Commerce to a manufacturer certified to participate in the British Token Import Plan must be used only to ship to the United Kingdom those products specified on the Voucher which are produced by that manufacturer and by no other person or firm.

(b) *By authorized agents of certified manufacturers.* Under the Token Plan an agent can only be authorized by a certified manufacturer to handle products produced by that manufacturer and by no other person or firm. This means that a Token Quota Voucher issued to an agent must be used only to ship to the United Kingdom those products specified on the Voucher which are produced by the certified manufacturer who has authorized him to act as his agent and not those produced by any other person or firm.

(c) *By certified firms other than manufacturers.* The Bureau of Foreign Commerce will certify as eligible to participate as principals in the Token Plan those firms other than manufacturers which have been able to demonstrate clearly that they and not the manufacturer whose products were shipped, developed an established export trade in an item on the commodity list (§ 361.13) from the United States to the United Kingdom during the years 1936, 1937 and 1938. Such firms may use the Token Quota Vouchers which have been issued to them, to ship to the United Kingdom products which may be purchased on the open market from any supplier in the United States, up to the amount specified on the Voucher. However, Token Quota Vouchers are neither transferable nor negotiable. This means that firms other than manufacturers, which have been issued Vouchers, must use such Vouchers themselves and must not permit any other person or firm to use such Vouchers.

(d) *Responsibility.* Manufacturers, their authorized agents, and those firms other than manufacturers which have been issued Token Quota Vouchers by the Bureau of Foreign Commerce under the Token Plan shall take every reasonable precaution to assure that those Vouchers are used in conformity with the provisions and conditions of this part (British Token Import Plan regulations); the terms of the Token Quota Vouchers; and any other specific instructions issued by Bureau of Foreign Commerce relating thereto.

§ 361.6 *Validity period of Token Quota Vouchers.* Token Quota Vouchers issued during any calendar year (whether before or after June 30) for which the British Token Import Plan is operative will be valid through February of the following year. In no event will import licenses granted by the Board of Trade against Token Quota Vouchers issued under any calendar year program be valid beyond March 31 of the following year. Accordingly, all shipments must be landed in the United Kingdom by that date.

§ 361.7 *Procedure for distribution of quota balances not issued by June 30*—(a) (1) *Announcement of quota balances available for distribution.* Announcements of the amount of quota balances available for issue in each specified commodity group after June 30 will be published in the Foreign Commerce Weekly starting with the issue published during the second week of July. Announcements will also be made in press releases which will be available to trade journals.

(2) "Quota balances" means the balance of quota in any specified commodity group not issued by the Bureau of Foreign Commerce in the form of Token Quota Vouchers under the conditions set forth in § 361.4 to firms certified on the basis of their prewar exports to the United Kingdom, as announced in the Foreign Commerce Weekly after June 30.

(b) *Eligibility for participation.* (1) In addition to firms certified on the basis of their prewar exports as provided in § 361.3, U. S. manufacturers of a commodity for which a quota balance is available (or their duly authorized agents), whether or not such manufacturers had an established prewar trade with the United Kingdom during 1936, 1937 and 1938 or had been issued Token Quota Vouchers in that commodity group prior to June 30, will be considered eligible to share in the distribution of that quota balance subject to the conditions set forth in this section. Firms other than manufacturers are eligible to share in the distribution of quota balances only if they have been certified on the basis of their prewar exports. (See definitions of "Manufacturer" in § 361.3 (a) and of "Authorized Agent" in § 361.4 (b).)

(2) Any quota balance so distributed during any one year of Token Plan operations in no way establishes a precedent or a claim to a quota for that

[1] Filed as part of the original document. Copies may be obtained upon request from the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

applicant in any future Token Plan arrangements.

(c) *Application for quota balance; Token Quota Vouchers.* (1) *Time and manner* To share in the distribution of quota balances, application for Token Quota Vouchers may be made by the eligible firms described in § 361.7 (b) Such applications together with any supporting documents required by the Bureau of Foreign Commerce must be received in the British Token Import Plan Unit not later than September 30; no applications will be considered after that date unless with respect to a specific commodity group, an announcement is published in the Foreign Commerce Weekly extending the time limit for that commodity group. Applications must be made on Form FC 928,[1] "Application for a Token Quota Voucher (Form B.—Share in Distribution of Quota Balances)" and submitted in triplicate to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. A separate "Application for a Token Quota Voucher", Form FC 928,[1] must be submitted for each British customer in each commodity group. One application may list a number of accepted orders for items in the same commodity group placed by the same British customer. Applications must be signed by one of the following persons: The individual owner; a partner or a corporate officer. At the time that they apply for Token Quota Vouchers, all applicants must have in their possession an accepted order(s) (as defined and described in § 361.4 (a)) from their British customer(s) for the amount of quota balance for which application is made. Evidence of such accepted orders must be kept available for production and inspection upon demand by any duly authorized representative of the Department of Commerce, and must be retained by the applicant for 3 years from the date of receipt by the Department of the application for Token Quota Vouchers covering the accepted orders. Where the export transaction does not involve a normal purchase and sale contract in the customary form or where for other stated reasons the term "accepted order" as used herein does not apply, the applicant must attach to its application a full description of the nature of the transaction.

(2) *Evidence of agent's authority.* If an "Application for a Token Quota Voucher (Form B.—Share in Distribution of Quota Balances)" Form FC 928[1] is made by an agent, evidence of the agent's authority must be submitted to the British Token Import Plan Unit as provided in § 361.4 (b)

(d) (1) *Apportionment of quota balances by Bureau of Foreign Commerce.* The balance of quota available for distribution in any specified commodity group after June 30 will be distributed among eligible applicants who have submitted, prior to October 1 (except where time limit is extended as provided in § 361.7 (c) (1)) their "Application for a Token Quota Voucher (Form B.—Share in Distribution of Quota Balances)", Form FC 928.[1] Such an apportionment of quota balances will be made only once during each Token Plan year.

(2) In the distribution of the total quota balance in any specified commodity group consideration will be given to the amount of the accepted order supporting the application; the number of applicants who have applied for the quota balance available in that commodity group; the total amount applied for against that quota balance; the total amount of the available quota balance; the minimum amount of quota balance which applicant has stated that he is willing to accept; and, such other factors as may aid to assure, insofar as practicable, a fair and equitable distribution among all eligible applicants.

(e) *Token Quota Voucher* (1) Upon determination by the Bureau of Foreign Commerce of the distribution which can be made of the quota balances, Token Quota Vouchers will be issued against approved applications. The original copy of such approved applications becomes a Token Quota Voucher, only after it has been stamped with the Bureau of Foreign Commerce validation stamp and returned to the applicant by the Bureau of Foreign Commerce. A duplicate copy of the Voucher will be forwarded through the U. S. Embassy in London to the British Board of Trade and triplicate retained by the British Token Import Plan Unit.

(2) The provisions of § 361.5 with respect to the permissible use and transfer of Token Quota Vouchers, and of § 361.6 with respect to their validity period are also applicable to Token Quota Vouchers issued by the Bureau of Foreign Commerce under the procedure for distribution of quota balances set forth in this section.

§ 361.8 *Additional information and reports*—(a) *Concerning changes in information submitted to the Bureau of Foreign Commerce.* All information submitted in any Request for Certification, Form FC 558,[1] in any Applications for Token Quota Vouchers, Form FC 927[1] or Form FC 928,[1] or other information submitted in connection therewith, shall be deemed to be continuing representations of the existing facts and circumstances. Any material or substantive change in the information submitted, including the terms of the accepted orders or contracts whether the request or application has been granted or is still under consideration, shall be reported promptly to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

(b) *Concerning Requests and Applications.* Every person or firm which has filed a Request for Certification, Form FC 558,[1] or an Application for a Token Quota Voucher, Form FC 927[1] or Form FC 928[1] shall (in addition to the information called for in this part in connection therewith) furnish such information with respect to such request or application, including accepted orders, as may be required from time to time by the Bureau of Foreign Commerce.

(c) *Concerning Certificates of Eligibility and Token Quota Vouchers.* Every person or firm to which a Certificate of Eligibility or a Token Quota Voucher has been issued shall also furnish such other information as may be required from time to time by the Bureau of Foreign Commerce including a report as to the use of the Token Quota Vouchers issued or to be issued to them and the submission of bills of lading, shipper's export declarations, and other related documents.

§ 361.9 *Effect on United States export restrictions.* The issuance of Certificates of Eligibility or Token Quota Vouchers in no way affects United States export restrictions which may be applicable to commodities coming under the Token Plan. A validated export license must be obtained where required.

§ 361.10 *How to obtain information.* Announcements regarding the British Token Import Plan will be published in the Foreign Commerce Weekly. Announcements also will be made in press releases which will be available to trade journals. Copies of announcements and copies of all forms needed in connection with the Token Plan may be obtained from the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C., or from Field Offices of the Department of Commerce.

§ 361.11 *Denial of Token Plan privileges.* (a) Upon notice and opportunity to be heard, the privilege of participating, directly or indirectly, under the British Token Import Plan of any manufacturer, agent, or any other person or firm may be modified, suspended or revoked at any time by the Bureau of Foreign Commerce upon a determination that the public health, interest or safety requires such action, or that the person or firm has willfully violated any provisions of this part (British Token Import Plan regulations), including the terms and conditions of Token Quota Vouchers, or has willfully furnished false information or concealed any material fact in the course of operation under the regulations. Where appropriate, a temporary order may be issued without notice, pending the making of a final order.

(b) In the absence of such a determination, no modification, suspension or revocation order will be made unless prior to the institution of such action facts or conduct warranting such action have been called to the attention of the person or firm involved, in writing, and such person or firm has been accorded opportunity to demonstrate or achieve compliance with all lawful requirements.

(c) Appeals from orders issued under this section may be taken to the Appeals Board, Department of Commerce, Washington 25, D. C.

§ 361.12 *Inquiries on British Token Import Plan participants.* (a) The Bureau of Foreign Commerce will consider

[1] Filed as part of the original document. Copies may be obtained upon request from the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

requests from firms in the United States, such as resident buyers, interested in obtaining the names and addresses of firms which have been certified to participate in the British Token Import Plan on the basis of their prewar exports to the United Kingdom. Complete lists of such participants are generally not available until after June 30 which is the closing date for requesting such certification. The list which is made available will be comprised of those firms certified in the preceding Token Plan year plus any other participants certified in the current Plan as of the date of the request.

(b) To receive consideration, such requests must be made in writing, addressed to the British Token Import Plan Unit, British Commonwealth Division, Bureau of Foreign Commerce, U. S. Department of Commerce, Washington 25, D. C., and must contain information showing the requisite legitimate interest, including the following items.

(1) Name of the applicant.

(2) Nature of his business.

(3) Commodity in which he is interested.

(4) Purpose for which the applicant requests a list of names and addresses of firms dealing in that commodity under the British Token Import Plan.

(c) Such lists, when made available by the Bureau of Foreign Commerce, must not be published or circulated in any form.

(d) An application charge of $5.00 will be made for each list (by commodity group) The charge should accompany the request and is not refundable. Check or money order payable to the Treasurer of the United States will be accepted.

§ 361.13 *Commodities subject to the Plan.* The commodities listed below have been approved by the British Board of Trade as those to which the British Token Import Plan shall apply. The number preceding each commodity is the "Commodity Group Number" which must be entered on all forms which require this information.

FOOD AND DRINK

156. Bottled fruits, processed for serving with ice cream.
85. Canned lobster.
75. Canned macaroni and spaghetti.
76. Canned pork and beans.
74. Canned soups.
84. Canned vegetables, other than tomatoes and tomato puree (including tomato juice).
87. Cheese rennet.
118. Glacé cherries.
1. Jelly powder.
120. Marshmallow (cooking ingredient).
82. Mustard.
83. Olives preserved in salt or brine.
188. Onion and garlic salt.
219. Pectin, domestic pack.
157. Pickles.
185. Quick-frozen fruits.
119. Quick-frozen peas.
73. Rolled or flaked oats.
178. Sugar confectionery of all kinds, excluding cocoa preparations.
86. Vegetable butter coloring.
77. Whisky.

TOBACCO MANUFACTURES

186. Cigarettes.
187. Manufactured smoking tobacco and plug tobacco.

LEATHER PRODUCTS

151. Fancy leather goods, excluding trunks, traveling bags, handbags, wallets, and pochettes.
221. Leather footwear.
138. Leather gloves, excluding industrial gloves.

RUBBER MANUFACTURES

142. Elastic braid.
91. Household rubber gloves.
68. Rubber bands.
67. Rubber bathing caps.
47. Rubber belting, other than conveyor belting.
69. Rubber erasers.
152. Rubber garden hose.
15. Rubber heels and soles.
80. Rubber hot-water bottles.
94. Rubber soling slabs.
16. Surgeon's rubber gloves.
10. Waterproof rubber footwear of all types.

COTTON FABRICS AND MANUFACTURES

168. Bed ticking.
141. Cotton boot and shoe and corset laces and braid.
143. Cotton ribbon and tapes; trimmings of cotton and cotton-rayon mixtures.
79. Embroidery and embroidered articles (other than apparel) of descriptions currently manufactured in the United Kingdom for the home market, of which the base fabric is wholly or mainly of cotton.
170. Finished cotton sewing thread.
167. Furnishing fabrics of cotton and cotton-rayon mixtures.
169. Quilts, counterpanes, and other bed coverings of cotton and cotton-rayon mixtures.
166. Woven cotton piece goods of all kinds.

WOOLEN FABRICS

147. Wool and mohair plushes and other wool pile fabrics.
146. Woolen damasks, tapestries, and brocades.
145. Woolen tissues.

SYNTHETIC FIBER MANUFACTURES

63. Artificial silk woven fabric of a width not exceeding 12 inches.
7. Woven fabric of a width exceeding 12 inches of artificial silk or of artificial silk mixed with other materials except silk. (Furnishing fabrics of cotton-rayon mixtures under group 167.)

LINEN MANUFACTURES

164. Finished linen thread.
163. Linen canvas not under 12 ounces per square yard.
161. Printed or dyed linen piece goods.

APPAREL

6. Artificial silk clothing, excluding hose. (Women's hose under group 179.)
64. Athletes' supporters.
108. Children's outer garments, knitted, netted, or crocheted, excluding hose. (Artificial silk clothing under group 6; cotton and woolen stockings under group 200.)
203. Corsets, girdles, and brassieres.
202. Garter and sanitary belts.
107. Men's and boys' outer garments of material other than artificial silk, excluding knitted, netted, or crocheted. (Artificial silk clothing under group 6; men's shirts under group 139.)
140. Men's felt hats, unlined.
139. Men's shirts.
201. Men's socks.
106. Underwear of material other than artificial silk, excluding corsets, girdles, and brassieres. (Artificial silk clothing under group 6.)
92. Proofed clothing of all kinds (including blankets, baby pants, and crib sheets).
200. Women's and children's cotton and woolen stockings.
109. Women's dresses other than of silk or artificial silk. (Women's dresses of artificial silk under group 6.)
5. Women's felt hats.
179. Women's full-fashioned stockings of silk and artificial silk.

WOOD MANUFACTURES

31. Domestic woodware (clothes pegs, etc.).
222. Manufactures of mulga wood.
158. Wood wool (excelsior).
62. Wooden mouldings for picture and mirror frames.
61. Wooden picture and mirror frames.
70. Wooden spring blind or shade rollers.

PAPER AND RELATED PRODUCTS

210. Adhesive labels.
112. Blotting paper.
117. Bristol boards.
116. Duplicating paper.
211. Indexing or filing cards.
65. Paper dress patterns.
114. Printing paper of the following types: book, text, cover, litho, offset.
113. Stationery paper in uncut form and writing paper in large sheets (bond ledger).
66. Wallpaper.
123. Yellow varnished paper for bottle-cap linings.

GLASS, CLAY, AND MANUFACTURES

148. Bottles other than ornamental, pharmaceutical, medicine, wine, and spirit bottles.
171. Colored sheet and plate window glass.
122. Glazed wall tiles.
154. Illuminating glassware of the following: Oil-lamp chimneys, hurricane-lamp glasses, globes, and shades.
4. Industrial porcelain insulators.
177. Mirrors conforming in shape and size to those in current use for utility furniture.
78. Table glassware as follows: Plain stemware, tumblers, tableware, and heat-resisting glassware.

IRON AND STEEL MANUFACTURES

49. Axes.
197. Belt fasteners for conveyor belts.
56. Bolts and nuts of all kinds, other than precision bolts and nuts.
99. Carpet sweepers and repair parts.
23. Domestic cutlery (includes only knives, forks, and spoons).
127. Domestic hand-operated meat mincers, coffee and spice mills.
217. Furniture casters and parts thereof.
20. Furniture of metal (other than domestic furniture).
89. Gasoline and kerosene pressing irons.
96. Hard haberdashery, such as eyelets and hooks for boots and shoes, hooks and eyes, safety and other pins, snap fasteners, studs, steel fasteners, etc. (excluding hair combs).
218. Ladies' handbag and purse frames.
21. Locks, padlocks, keys, and key blanks.
124. Machine knives.
55. Nails and staples of all kinds except for decorative purposes (including hobnails and boot and shoe studs and spikes).
125. Paper machine wires.
134. Pipe joints of iron and steel excluding malleable cast iron and nonmalleable cast iron.
133. Pipe joints of nonmalleable cast iron.
184. Precision screws and other precision turned parts of metal.
57. Rivets of iron and steel.
190. Safety razors.
25. Slide fasteners.
194. Spectacle frames other than of gold or gold-filled.
189. Stropping machines, razor grinders, and razor sharpeners, all hand-operated.

172. Weighing apparatus of less than 5-hundredweight capacity, and sold at a retail price not exceeding 50 pounds sterling.
126. Woven wire cloth, gauze, fabric, or meshing.

ALUMINUM AND MANUFACTURES

174. Aluminum and aluminum alloys in sheets, disks, wire, tubes, rods, angles, shapes, and sections.
54. Aluminum cooking utensils.
175. Aluminum kitchen utensils other than cooking utensils.
173. Beer barrels, made of aluminum or aluminum alloys.

ELECTRICAL MACHINERY, SUPPLIES, AND APPARATUS

2. Carbon electrodes.
29. Dry batteries (high tension).
28. Dry batteries (torch).
104. Electrical equipment for cycles and motorcycles.
130. Electric fans complete with motors for domestic use.
132. Electric-light bulbs.
103. Electric-light fixtures.
102. Electric meters.
153. Electric switches.
101. Electric refrigerators and parts for domestic purposes.
131. Electrically operated domestic washing machines.
27. Vacuum cleaners and parts.

INDUSTRIAL MACHINERY AND APPARATUS

129. Gear transmissions and gears.
24. Mechanical valves.
128. Pulley blocks.

AGRICULTURAL AND GARDEN MACHINERY AND EQUIPMENT

46. Beehives and frames, bee veils, bee smokers, and other beekeepers' accessories.
53. Hand cultivators for garden and farm use.
50. Forks for garden and farm use.
191. Hand seeders for garden and farm use.
51. Hoes for garden and farm use.
17. Lawn mowers.
100. Milk churns, cans, pails, and strainers.
52. Rakes for garden and farm use.

AUTOMOTIVE EQUIPMENT

19. Antiskid chains.
212. Automotive cables.
216. Chemical maintenance products for motorcars except oils and polishes (includes valve-grinding compounds; radiator leak stop, weather sealer, gasket cement, radiator flush, hydraulic-brake fluid, rubbing compound, mechanics' blue for marking valves, bearings, etc., and tar remover).
30. Spark plugs.
213. Windshield wipers and parts.

CHEMICALS AND RELATED PRODUCTS

204. Bone black.
136. Fuses and detonators.
206. Medicinal preparations packed ready for retail sale under proprietary or trade names (excluding veterinary medicinals).
110. Meta fuel (solidified mentholated spirits).
3. Paints and varnishes.
37. Petroleum-jelly preparations.
205. Porcelain enamel frit.
72. Powder for sporting cartridges.
155. Shampoos, nonliquid, in containers holding no more than 1 ounce.
182. Toilet preparations, including tooth paste and powder, but excluding perfumery and soap.

PHOTOGRAPHIC AND PROJECTION GOODS

105. Cinematographic cameras and projectors (for 16-mm. film or less).
26. Film for photographers' use.
60. Photographic coated paper (not sensitized).
59. Photographic paper and cloth, unexposed, sensitized.
58. Photographers' plates.

OFFICE SUPPLIES

176. Carbon paper.
198. Filing boxes or filing trays (of wood or cardboard).
42. Fountain pens and parts.
215. Miscellaneous office supplies: telephone indexes, numbering machines, staplers and stapler refills, eyeletting machines and eyelets.
43. Propelling pencils and parts.
137. Typewriter ribbons.

SPORTING GOODS

41. Ice skates, roller skates, ice hockey equipment, and other sports equipment.
214. Loaded sporting cartridges and loaded shotgun shells.
71. Sporting cartridges, primed, empty.
135. Sporting guns, sporting rifles, and spare parts thereof.[2]

MISCELLANEOUS

196. Aquarium equipment (includes aquarium pumps).
193. Artificial teeth.
183. Baskets and basketware.
32. Brushes.
44. Buttons of all kinds other than vegetable-ivory and dum buttons.
18. Cooking and heating appliances and parts.
192. Dental equipment and instruments.
95. Goldsmiths' and silversmiths' wares.
160. Granite pavement kerbs and setts.
88. Ice-cream cabinets.
33. Imitation jewelry (excluding jewelry findings, cigarette cases, cigarette lighters, hair ornaments, insignia, lipstick cases, match boxes, military ornaments, rhinestone buckles, Ronson repeaters, shoulder devices, and watch containers).
144. Jute webbing.
207. Laundry soap.
90. Manufactured abrasive cloths, papers, and disks.
97. Musical boxes.
22. Oil lamps and lanterns for illumination.
8. Papermakers' felts.
220. Pocket watches, except watches in cases made of gold or other precious metals.
165. Saddlers' thread.
150. Sun goggles and sun glasses.
40. Toilet requisites (includes only powder bowls or boxes, powder puffs, nail polishes, nail clippers, nail files, denture bowls, manicure sets, compacts, vanity cases, and pancake cases).
9. Toys, dolls, and parts, of all kinds except those made of hemp.
93. Varnished cambric insulating material.

LORING K. MACY,
Director
Bureau of Foreign Commerce.

MARCH 1, 1954.

[F. R. Doc. 54-1516; Filed, Mar. 3, 1954; 8:48 a. m.]

[2] Imported sporting guns and sporting rifles will be subject to the provisions of the British 1937 Firearms Act, except smooth-bore guns having a barrel not less than 20 inches in length.

Subchapter B—Export Regulations

[6th General Rev. of Export Regs. Amdt. 81 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 379—EXPORT CLEARANCE

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

MISCELLANEOUS AMENDMENTS

1. Section 373.41 *Nonferrous commodities, including ores, concentrates, or unrefined products* paragraph (d) *Aluminum scrap, copper and copper-base alloy scrap* is deleted.

2. Section 379.1 *Presentation for export* paragraph (c) *Additional copies of shipper's export declaration, other special provisions* is amended in the following particulars:

a. The title of paragraph (c) is amended to read as follows: "(c) *Copies of shipper's export declaration, other special provisions.*"

b. Subparagraph (1) *General requirements* is amended to read as follows:

(1) *General requirements.* Shipper's Export Declarations shall be presented to the Collector of Customs at the port of exit in the number of copies specified herein. For shipments to Canada and between the United States and its territories and possessions (except Alaska and Hawaii) the declarations must be presented in duplicate. For all other shipments the declarations must be presented in triplicate except that an additional copy of the declaration shall be presented when required by the Bureau of Foreign Commerce or Collector of Customs in any particular instance, for purposes of export control.

NOTE: The provisions of this subparagraph relating to the number of copies of the Shipper's Export Declaration to be filed with the Collector of Customs include the requirements of the Bureau of the Census (as outlined in the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States) and the Bureau of Foreign Commerce for export control purposes.

c. Subparagraph (2) *MSA shipments* is deleted.

d. The first sentence of subparagraph (4) *Manner of submission; conformance of copies* is amended to read as follows: "Information required by subparagraph (3) of this paragraph shall be furnished on the three copies of the declaration presently required for submission to Collectors of Customs and, in addition, on a fourth copy of the declaration."

3. Section 379.2 *Authenticated shipper's export declaration,* paragraph (b) subparagraph (4) *Correction form* is amended to read as follows:

(4) *Correction form.* (i) Without prior approval of the collector, any item of information contained on an authenticated shipper's export declaration previously filed with the collector of customs can be corrected as specified below.

(ii) Correction Form (FT-7403), in triplicate, shall be used in all instances

[1] This amendment was published in Current Export Bulletin No. 725, dated February 25, 1954.

where the export license requires the submission of four copies of the Shipper's Export Declaration. This form shall not be used for effecting corrections for other shipments except where the Bureau of Census copy of the declaration has been dispatched to that Bureau by the Collector, and in such case, the Correction Form shall be submitted in duplicate. Corrections as authorized by the Collector of Customs shall be made directly on the authenticated Shipper's Export Declaration where the shipment does not require submission of four copies of the Shipper's Export Declaration and the Bureau of Census copy is still in the possession of the Collector. The Correction Form (FT–7403) shall be executed by the exporter or his duly authorized agent and submitted to the Collector with whom the authenticated Shipper's Declaration was filed.

4. Section 380.2 *Amendments or alterations of licenses,* paragraph (g) *Procedure for submitting requests for amendments* is amended by the addition of the following subparagraph (5)

(5) *Telephone requests.* Under emergency conditions, a request for amendment may be made by telephone and the licensee may include therein a request that the amendment, if approved, be transmitted to the Collector of Customs by telegraph or other special communication. In such instances, the applicant must supply the Bureau of Foreign Commerce with sufficient justification for the request and detailed information necessary for the completion of a Form IT–763. If the amendment is approved, the Bureau of Foreign Commerce will so advise the applicant and the Collector. However, before the Collector of Customs will release the shipment under the amended license, the applicant must file a completed and signed IT–763 with the Collector.

b. The note presently following subparagraph (4) *Telephone requests* now follows subparagraph (5). The first sentence of this note is amended to read as follows: "Requests for amendments by letter will not be accepted."

This amendment shall become effective as of February 25, 1954.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945; 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director
Bureau of Foreign Commerce.

[F. R. Doc. 54–1538; Filed, Mar. 3, 1954; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6113]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARDNER SUPPLY CO.

Subpart—*Advertising falsely or misleadingly:* § 3.130 *Manufacture or preparation;* § 3.170 *Qualities or properties of product or service;* § 3.205 *Scientific or other relevant facts;* § 3.235 *Source or origin.* Doctor's Design or supervision of, Manufacture or Preparation by. Subpart — *Using misleading name*— Goods: § 3.2310 *Manufacture or preparation;* § 3.2345 *Source or origin:* Doctor's Design or Supervision. In connection with the offering for sale, sale, or distribution of the preparations known as "Bash's Formula Eight," or any other preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, the purchase of said preparations in commerce, which advertisements represent, directly or by implication: (a) That the use of said preparations will eliminate the cause of falling hair; will prevent baldness or partial baldness; or will promote growth of hair on bald or partially bald heads; and (b) that baldness or partial baldness is caused only by fungus infection; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, 15 U. S. C. 45) [Cease and desist order, Cardner Supply Company, Norwalk, Calif., Docket 6113, February 4, 1954]

In the Matter of Dale A. Cardner, an Individual, Doing Business as Cardner Supply Company

This proceeding was heard by Earl J. Kolb, Hearing Examiner, upon the complaint of the Commission and respondent's answer, in which, as amended, he admitted all material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts.

Thereafter the proceeding regularly came on for final consideration by said examiner, theretofore duly designated by the Commission, upon said complaint and answer, all intervening procedure having been waived, and said examiner, having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts,[1] conclusion drawn therefrom,[1] and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on February 4, 1954.

Said order to cease and desist is as follows:

It is ordered, That the respondent, Dale A. Cardner, an individual, doing business as Cardner Supply Company or under any other name, and his representatives, agents or employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the preparations known as "Bash's Formula Eight," or any other preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That the use of said preparations will eliminate the cause of falling hair; will prevent baldness or partial baldness; or will promote growth of hair on bald or partially bald heads.

(b) That baldness or partial baldness is caused only by fungus infection.

2. Disseminating, or causing to be disseminated, by any means, any advertisement, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in paragraph 1 of this order.

It is further ordered, That the respondent, Dale A. Cardner, an individual, doing business as Cardner Supply Company or under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the preparations known as "Bash's Formula Eight," or any other drug or cosmetic preparation for treatment of the hair or scalp, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the word "Doctor," or any abbreviation or simulation thereof, to designate, describe or refer to any such preparation not made in accordance with the formula or under the supervision of a member of the medical profession; or otherwise representing, directly or by implication, that any such preparation has been so made.

(2) Representing, directly or by implication, that the manufacturer of said preparations is an authority on fungus infections of the hair.

By "Decision of the Commission and Order to File Report of Compliance" Docket 6113, February 4, 1954, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondent, Dale A. Cardner, an individual, doing business as Cardner Supply Company, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in

[1] Filed as part of the original document.

which it has complied with the order to cease and desist.

Issued: February 4, 1954.

By the Commission.

[SEAL] ALEX. AKERMAN, Jr., *Secretary.*

[F. R. Doc. 54-1518; Filed, Mar. 3, 1954; 8:49 a. m.]

[Docket 5647]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

U. S. PRINTING & NOVELTY CO., INC., ET AL.

Subpart—*Using or selling lottery devices:* § 3.2475 *Devices for lottery selling.* Selling or distributing in commerce, push cards, punchboards, or other lottery devices which are designed or intended to be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, 15 U. S. C. 45) [Modified cease and desist order, U. S. Printing & Novelty Co., Inc., et al., New York, N. Y., Docket 5647, February 5, 1954]

In the Matter of U. S. Printing & Novelty Co., Inc., a Corporation, and Benjamin Blush, Jack Blush, and Hyman Abramowitz, Individuals, Officers, and Directors of U. S. Printing & Novelty Co., Inc.

This proceeding having been heard by a hearing examiner of the Federal Trade Commission upon the complaint of the Commission and respondents' substituted answer waiving the taking of testimony and other procedure; and said hearing examiner having filed his initial decision; and counsel for respondents having filed with the Commission an appeal from said initial decision; and the Commission having considered the proceeding upon the record herein, including briefs in support of and in opposition to the appeal; and the Commission, after granting said appeal in part and denying it in part, having made its findings as to the facts and conclusion drawn therefrom and on September 4, 1952, issued an order to cease and desist against respondent, U. S. Printing & Novelty Co., Inc., Benjamin Blush, and Jack Blush, and an order dismissing the complaint as to respondent Hyman Abramowitz; and

Respondents U. S. Printing & Novelty Co., Inc., Benjamin Blush, and Jack Blush, having filed in the United States Court of Appeals for the District of Columbia Circuit their petition to review and set aside said order to cease and desist; and the Court having heard the matter on briefs and oral argument and having thereafter, on October 22, 1953, served upon the Commission an order dated June 4, 1953 (petition for writ of certiorari filed by respondents having been denied by the Supreme Court of the United States on October 12, 1953), modifying said order to cease and desist, and having thereafter, on November 18, 1953, entered another order enforcing, as modified, said order to cease and desist; and

The Commission being of the opinion that its order should be modified so as to accord with the aforesaid orders of the United States Court of Appeals for the District of Columbia Circuit:

It is ordered, therefore, That respondent U. S. Printing & Novelty Co., Inc., a corporation, its officers, and respondents Benjamin Blush and Jack Blush, individually and as officers and directors of said corporate respondent, U. S. Printing & Novelty Co., Inc., and their respective representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from: Selling or distributing in commerce, as "commerce" is defined in the Federal Trade Commission Act, push cards, punchboards, or other lottery devices which are designed or intended to be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That, within thirty days after service upon them of this order, said respondents shall file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint herein by, and it hereby is, dismissed as to respondent Hyman Abramowitz.

Issued: February 5, 1954.

By the Commission.

[SEAL] ALEX. AKERMAN, Jr., *Secretary.*

[F. R. Doc. 54-1519; Filed, Mar. 3, 1954; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 965]

[Docket No. AO-166-A18-RO2]

MILK IN CINCINNATI, OHIO, MARKETING AREA

NOTICE OF REOPENING OF HEARING ON HANDLING OF MILK CONCERNING PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the reopening of the public hearing held January 28 and 29, 1954, at Cincinnati, Ohio, pursuant to notice issued January 20, 1954 (19 F. R. 414) such reopened hearing to be held at Parlors A, B, C, and D, Carew Tower, Netherland-Plaza Hotel, 5th and Vine Sts., Cincinnati, Ohio, beginning at 10:00 a. m., e. s. t., March 8, 1954, for the purposes of receiving (1) supplemental evidence with respect to all proposals set forth in the notice of the said hearing held on January 28 and 29, 1954, to amend the tentative marketing agreement heretofore approved by the Secretary of Agriculture and the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area, and (2) evidence with respect to the additional amendment proposals set forth herein, or appropriate modifications of any of such proposals. These proposed amendments have not received the approval of the Secretary of Agriculture.

Consideration will be given also to the question of whether economic and marketing conditions which relate to the handling of milk for the said marketing area require emergency action with respect to any or all amendments deemed necessary as the result of the hearing.

Proposed by the K. I. O. Milk Producers Association, the Milk Producers Union and the Cincinnati Milk Sales Association:

Proposal No. 19. Amend the appropriate section of Order No. 65, as amended, to provide for the payment to cooperatives who do not own and/or operate milk plant facilities, a service charge of 50 cents per hundredweight on milk of producers handled by them as a result of such milk being refused or released by a handler in the market as described in the order, if by handling such milk the cooperative becomes a handler as provided in the order.

Proposed by the Southwestern Ohio Guernsey Breeders Association:

Proposal No. 20. Amend §§ 965.64 and 965.73 (a) to provide a butterfat differential to producers equal to a weighted average of differentials paid by handlers.

Copies of this notice of hearing, notice of the hearing held January 28 and 29, 1954, and of the aforesaid tentative marketing agreement and order may be procured from the Market Administrator, Room 202, Southern Ohio Bank Bldg., 519 St., Cincinnati, Ohio, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: March 1, 1954.

[SEAL] ROY W LENNARTSON, *Deputy Administrator*

[F. R. Doc. 54-1567; Filed, Mar. 3, 1954; 8:54 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 687]

MINIMUM WAGE RATE IN HOSIERY INDUSTRY IN PUERTO RICO

NOTICE OF PROPOSED DECISION

On April 9, 1953, pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (hereinafter called the act) the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 428, as amended by Administrative Orders Nos. 430, 431, and 432, dated April 27, 1953, May 5, 1953 and May 18, 1953, respectively, appointed Special Industry Committee No. 14 for Puerto Rico (hereinafter called the Committee) and directed the Committee to investigate conditions in a number of industries specified and defined in the order, including the Hosiery Industry in Puerto Rico (hereinafter called the Industry), and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wages for the Hosiery Industry in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico with due regard to the geographical regions in which the industry is carried on.

After investigating economic and competitive conditions in the Hosiery Industry in Puerto Rico, as defined in Administrative Order No. 428, the Committee filed with the Administrator a report containing the recommendation that "Wages at a rate of not less than 50 cents per hour shall be paid under Section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the Hosiery Industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce."

Pursuant to Notice published in the FEDERAL REGISTER on August 1, 1953 (18 F. R. 4524-4527) and circulated to all interested parties, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson and Clifford P. Grant, as presiding officers, on September 2, 1953, and October 6, 1953, respectively, in Washington, D. C., at which all interested parties were given an opportunity to be heard. After the hearing was closed, the record of the hearing was certified to the Administrator by the presiding officer, Clifford P. Grant.

Upon reviewing all of the evidence adduced in this proceeding, and after giving due consideration to the provisions of the Act, particularly sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate of 50 cents per hour in the Hosiery Industry in Puerto Rico, as defined, was made in accordance with law, is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 14 for Puerto Rico for Minimum Wage Rate in the Hosiery Industry in Puerto Rico", a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding, that I propose to amend the Wage Order for the Hosiery Industry in Puerto Rico, which is contained in 29 CFR, 1952 Supp., Part 687, as follows:

In § 687.2 *Wage rate*, change "Wages at the rate of not less than 40 cents an hour", to read: "Wages at the rate of not less than 50 cents an hour"

Within fifteen days from the publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed actions above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include reasons for any exceptions.

Signed at Washington, D. C., this 19th day of February 1954.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 54-1503; Filed, Mar. 3, 1954; 8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Home Loan Bank Board

[24 CFR Part 122]

[No. 6916]

ORGANIZATION OF THE BANKS

ELECTION OF DIRECTORS OF FEDERAL HOME LOAN BANKS

FEBRUARY 26, 1954.

Resolved that, pursuant to Part 103 of the general regulations of the Home Loan Bank Board (24 CFR Part 103), it is proposed to amend the provisions contained in Part 122 of the Regulations for the Federal Home Loan Bank System (24 CFR Part 122) under the subheading "Directors" in the particulars as hereinafter set forth.

a. Amend § 122.32 to read as follows:

§ 122.32 *State representation.* In determining the results of balloting by the members, the Board will, subject to the provisions of §§ 122.33, 122.34 and 122.45, see that each State is represented on the new board of directors by at least the number of elective directors set forth below, provided there has been an eligible candidate from such State who has been voted for:

Bank districts:	*Minimum number of directors per State*
Boston	1
New York	3
Pittsburgh	1
Greensboro	1
Cincinnati	2
Indianapolis	3
Chicago	3
Des Moines	1
Little Rock	1
Topeka	1
San Francisco:	
California	3
Oregon	1
Washington	1
Utah	1
Wyoming, Arizona, Nevada	Alternating 1
Idaho, Montana	Alternating 1

Provided, further That with respect to the regular election of directors for terms of office beginning prior to January 1, 1956 the State of California shall be entitled to minimum representation on its Bank directorate of two elective directors.

b. Amend § 122.45 to read as follows:

§ 122.45 *Definition of "State"* As used with respect to the election of directors for the Federal Home Loan Banks, the term "State" means any one of the 48 states or the District of Columbia, except that (a) effective with the regular election of directors for terms of office beginning January 1, 1955, the states of Wyoming, Arizona and Nevada shall be deemed to constitute one "State" and (b) effective with the regular election of directors for terms of office beginning January 1, 1956, the states of Idaho and Montana shall be deemed to constitute one "State" the right of minimum representation shall be alternated between the states of Wyoming, Arizona and Nevada and between the states of Idaho and Montana in the order named in § 122.32, within the limitations of the regulations in this part and all pertinent resolutions and orders of the Federal Home Loan Bank Board, the Federal Home Loan Bank Administration and the Home Loan Bank Board.

Resolved further that a hearing will be held on Monday, April 5, 1954, at 10 o'clock in the forenoon in Room 827, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D. C., before the Home Loan Bank Board, a member thereof, or a hearing officer designated by the Board, for the purpose of receiving evidence, oral views and arguments on said proposed amendments of the Regulations for the Federal Home Loan Bank System, if written notice of intention to appear at said hearing is received by the Secretary to the Home Loan Bank Board at least five days before said date. If no such written notice of intention to appear has been received by the Secretary to the Board at least five days before the date set for the hearing, the hearing will be dispensed with. Whether or not a hearing is held, written data, views or arguments on said proposed amendments which are re-

ceived by the Secretary to the Home Loan Bank Board on or before March 31, 1954, or prior to the conclusion of the hearing, if held, will be considered by the Home Loan Bank Board in connection with its consideration of the proposed amendments of the said regulations.

(Sec. 17, 47 Stat. 736; 12 U. S. C. 1437. Construes and applies sec. 7, '47 Stat. 730, as amended, 49 Stat. 294; 12 U. S. C. 1427)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 54-1535; Filed, Mar. 3, 1954; 8:52 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 216]

[File No. 21-250]

MILLINERY INDUSTRY

NOTICE OF PUBLIC HEARING

In the matter of proposed revision of Rule 2 of the Millinery Industry trade practice rules; File No. 21-250.

The Federal Trade Commission has released a proposed revision of § 216.2 (Rule 2) of the trade practice rules for the Millinery Industry, which rules were promulgated by the Commission on September 15, 1953. Copies of such proposed revision are available to all industry members and other affected parties upon request to the Commission.

Opportunity is hereby extended by the Commission to any and all persons, partnerships, corporations, organizations, and other parties, including farm, labor, and consumer groups, affected by or having an interest in the said proposed revision of § 216.2 (Rule 2) to present to the Commission their views concerning such rule, including such pertinent information, suggestions, or objections, as they may desire to submit, and to be heard in the premises. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than March 12, 1954. Opportunity to be heard orally will be afforded at a hearing beginning at 2:00 p. m., e. s. t., March 12, 1954, in Room 3004 of the United States Court House, Foley Square, New York City, to any persons, partnerships, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed revision of the rule.

Issued: March 2, 1954.

By the Commission.

[SEAL] ALEX. AKERMAN, Jr., *Secretary.*

[F. R. Doc. 54-1569; Filed, Mar. 3, 1954; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 3, 4]

[Docket No. 10832]

FM BROADCAST STATIONS; SPECIFIED NON-BROADCAST ACTIVITIES ON SIMPLEX AND/OR MULTIPLEX BASIS

ORDER AND NOTICE OF EXTENSION OF TIME FOR FILING COMMENTS

In the matter of amendment of Parts 2, 3 and 4 of the Commission's rules and regulations and the Standards of Good Engineering Practice Concerning FM Broadcast Stations to Permit FM broadcast stations to engage in specified non-broadcast activities on a simplex and/or multiplex basis.

1. On December 31, 1953, the Commission issued its notice of proposed rule making (FCC 53-1747) in the above-entitled matter. The notice stated that written comments on this proposal could be filed on or before February 15, 1954, and that the replies to such comments were to be filed within 10 days from the latter date.

2. Five parties have filed petitions or requests for additional time within which to submit written comments. Three—Field Enterprises, Inc., Atlantic Broadcasting Company, Inc., and Radio Broadcasters, Inc.—have requested lengthy extensions, the first two to May 15, 1954, and the latter to June 15, 1954. The petition of Field Enterprises recites that further investigation is believed necessary with respect to the various pertinent aspects of transmitting and receiving equipment for multiplexing; it states that in the event of a grant of its petition, it "would expect to request an appropriate authorization to permit operation on an experimental basis in order to obtain a sound resolution of some of the technical and economic problems indicated for transmitting and receiving equipment capable of operating on a multiplexing basis."

Radio Broadcasters, Inc., joins in the foregoing petition, stating that its "comments will contain matters in addition to those suggested by Field Enterprises, Inc."

Atlantic Broadcasting Company, Inc., asserts that "The state of the art and the scarcity of information has made it impossible to collect the necessary data (on the technical and economic feasibility of multiplexing) within the time period provided for by the Commission." It requests the extension until June 15th so that it may have an opportunity to assemble the necessary data, and asserts that it is not in a position to present its views with respect to the proposed rule making until its has had an opportunity to gather the desired information.

3. We are unwilling to grant the foregoing requests in view of the length of the additional time period requested. Only if examination of the comments received revealed an inadequacy on the particular points listed in the subject petitions would we feel an extension of such a lengthy nature to be in order.[1] Accordingly, these three petitions are denied.

4. The two other parties—Richard G. Evans and the American Civil Liberties Union have requested a 15-day extension of time within which to file comments. In his request, Mr. Evans asserts that "as the originator of Transitcasting, and a major contributor to Salescasting (Storecasting) and Background Music Service, as a former operator of an FM station engaged in such Services, and as a Management Consultant on such Specialized Services", he has a great deal of information pertaining to these services "which only he is in a position to furnish to the Commission." He states that the additional time requested is needed to assemble this information.

5. In view of the foregoing: *It is ordered,* That the requests of Richard G. Evans and the American Civil Liberties Union for 15 days additional time within which to file comments in the subject proceeding are granted. *It is further ordered,* That the petitions or requests of Field Enterprises, Inc., Atlantic Broadcasting Company, Inc., and Radio Broadcasters, Inc., are denied.

6. Notice is hereby given that the time for filing comments in the above-entitled matter is extended to March 10, 1954. Replies to such comments may be filed on or before March 20, 1954.

Adopted: February 26, 1954.

Released: February 26, 1954.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, *Secretary.*

[F. R. Doc. 54-1549; Filed, Mar. 3, 1954; 8:53 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service and Commodity Credit Corporation

1954-CROP CASTOR BEAN PRODUCTION AND PROCUREMENT PROGRAM

In order to maintain the production of castor beans in the United States and to increase the knowledge of domestic producers in castor bean production, the Secretary of Agriculture has authorized the Commodity Credit Corporation (hereinafter referred to as "CCC") to carry out a program for the purchase of 1954-crop castor beans. The program will be available to producers who produce castor beans within the continental United States in areas within States approved by the Executive Vice President of CCC. These States will include Arizona, Arkansas, California, New Mexico,

[1] If study of the comments demonstrates this to be the situation, we would, of course, issue a notice requesting comments on the points in question.

Oklahoma and Texas. Under the program, CCC will issue offers to purchase from such producers all or any part of the 1954 crop castor beans which are suitable for crushing or planting seed and which are delivered out-of-hull to approved warehouses located in areas approved by the Executive Vice President of CCC. The price to be paid to the producer shall be six cents per pound, out-of-hull basis, with appropriate adjustments in the net weight or price for quality factors, which may include oil content, determined pursuant to methods approved by the Executive Vice President of CCC. CCC may contract with producers for the production of improved varieties or strains of castor beans grown for planting seed and the prices to be paid by CCC to producers for such castor beans shall be such as the Executive Vice President of CCC determines necessary to obtain increased production of such varieties or strains. The quality factors for beans will be determined on the basis of samples taken from castor beans and analyzed by inspectors authorized by the Secretary of Agriculture at the time of delivery of the castor beans to CCC.

CCC has available certain types of harvesting machinery and other machinery and equipment which it will sell or rent to producers of castor beans, farmers cooperative associations or others under the program. Additional information regarding the program may be obtained from the appropriate State ASC committee in States where the program is in operation or by writing to the Oils and Peanut Division, Commodity Stabilization Service, Department of Agriculture, Washington 25, D. C.

The following is a list of addresses of the Chairman of the State ASC committees for the States where castor beans will be eligible for purchase under the program.

Chairman, State ASC Committee, P. O. Box 2313, Central Avenue and Fillmore Street, Phoenix, Ariz.

Chairman, State ASC Committee, 347 Federal Office Building, Little Rock, Ark.

Chairman, State ASC Committee, 1515 Clay Street, Oakland 12, Calif.

Chairman, State ASC Committee, P. O. Box 236, 1224 North Fourth Street, Albuquerque, N. Mex.

Chairman, State ASC Committee, Etherton Building, 6th and Main Streets, Stillwater, Okla.

Chairman, State ASC Committee, AAA Building, College Station, Tex.

Done at Washington, D. C., this 25th day of February 1954.

[SEAL] J. A. McCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-1554; Filed, Mar. 3, 1954; 8:54 a. m.]

Office of the Secretary

WEST VIRGINIA

DISASTER ASSISTANCE; DELINEATION AND CERTIFICATION OF COUNTIES CONTAINED IN DROUGHT AREA

Pursuant to the authority delegated to me by the Administrator of the Federal Civil Defense Administration (18 F. R. 4609) and for the purposes of section 2 (d) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress, the following additional county is determined as of February 10, 1954, to be in the area affected by the major disaster occasioned by drought determined by the President on November 26, 1953, pursuant to Public Law 875, 81st Congress:

WEST VIRGINIA

Marion

Done this 26th day of February 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 54-1515; Filed, Mar. 3, 1954; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 5-10]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 25, 1954.

In exchanges of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g) the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN

T. 11 N., R. 11 W.,
Sec. 16, NE¼, N½NW¼.
T. 12 N., R. 14 W.,
Secs. 11 and 13.
T. 12 N., R. 15 W.,
Secs. 9, 11, 17 and 21.
T. 12 N., R. 17 W.,
Secs. 11, 13, 15 and 17.
T. 14 N., R. 20 W.,
Secs. 1, 3, 11, 13, 23, 25, 27 and 35.
T. 15 N., R. 20 W.,
Secs. 3, 15, 23, 27 and 35.
T. 16 N., R. 20 W.,
Sec. 23, E½, E½SW¼, SW¼SW¼.
Secs. 27, 29, 31 and 35;
Sec. 33, N½.
T. 17 N., R. 20 W.,
Sec. 11, S½.
Secs. 13 and 15;
Sec. 17, N½, SE¼, N½NE¼SW¼.
T. 18 N., R. 20 W.,
Sec. 35.
T. 19 N., R. 21 W.,
Secs. 3, 11, 15, 23, 25, 27 and 35;
Sec. 9, E½.
Sec. 21, E½.
Sec. 33, E½.
T. 3 S., R. 1 W.,
Sec. 6, NW¼SE¼.
T. 3 S., R. 7 E.,
Sec. 32.

No application for these lands may be allowed under the homestead, small tract, desert-land or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application. Most of the lands are rough and mountainous and primarily suitable for grazing. The land in T. 3 S., R. 1 W., is level with gentle slope to northwest. Each application filed on lands described in this order will be considered on its merits.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Phoenix, Arizona, shall be acted

upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Phoenix, Arizona.

W H. BURNETT,
Acting Regional Administrator

[F. R. Doc. 54-1504; Filed, Mar. 3, 1954; 8:45 a. m.]

WYOMING

CLASSIFICATION ORDER NO 14

FEBRUARY 23, 1954.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427, dated August 16, 1950 (15 F R. 5639) I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a) the following described land in the Wyoming land district, embracing approximately 53.45 acres:

For lease and sale for business and home sites:

T. 21 N., R. 88 W., 6th P. M. Wyoming
Sec. 24: Lots 1 through 14, 16 through 21 as shown on the official plat of survey approved and accepted June 12, 1953.

Lot 15 comprises the right of way for U. S. Highway No. 30 and therefore is not available for lease or sale.

2. The lots range from 2.0 to 3.89 acres in size and are located 1½ miles west of Rawlins in Carbon County, Wyoming. U. S. Highway No. 30 and a power and telephone line pass diagonally through the small tract area. Domestic water can be obtained from wells at a depth of about 180 feet. Sewage can be disposed of by septic tanks. Schools, stores, and other facilities are available in the City of Rawlins. The land is nearly level; has sandy loam soils. The native vegetation consists of short and medium grasses and saltbrush. There is no timber on the land nor evidence of metallic or non-metallic minerals. The mineral rights will be reserved to the Federal Government.

3. A multiplicity of filings by those persons entitled to claim veterans' preference for service in World War II only is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Circular 1764, containing small tract regulations approved September 11, 1950, the special procedure and drawing outlined therein will be used. This special procedure does not apply to veterans of other wars of the United States.

4. Commencing at 10:00 a. m. on the date of this order and for a period of 35 days thereafter, the lands described herein shall be subject to the filing of drawing entry cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 748, 43 U. S. C. 279-284) amended. Such veterans desiring to participate in the drawing may secure drawing entry cards, form 4-775, from the Manager, Land and Survey Office in Cheyenne, Wyoming, or the District Range Manager, Bureau of Land Management, Rawlins, Wyoming. The veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age or the head of a family, and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one drawing entry card may be filed by an entrant. No filing fee or additional papers should accompany the drawing entry card. All drawing entry cards when completed as indicated shall be mailed to the Manager, Land and Survey Office, Cheyenne, Wyoming, and must be forwarded in time to reach him not later than 10:00 a. m. on the 35th day after the date of this order. All cards of qualified entrants received not later than the hour and date mentioned will be placed in a box, and at 2:00 p. m. on the business day following such 35th day will be thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party, one at a time, and numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order.

5. Each successful entrant to whom a lot is awarded will be sent by registered mail a decision making appropriate requirements with an offer to lease form 4-776, in duplicate, bearing the description of the tract. The forms must be completely filled out, signed, and returned by the successful entrant within the time allowed. All applications must be accompanied by a $10.00 filing fee. The annual rental for homesites is $5.00, payable for the entire lease period in advance of the issuance of the lease. The minimum annual rental for business sites is $20.00, payable for the entire lease period in advance of the issuance of the lease. The lessees for business sites shall also be obligated to pay any additional rental at the rate fixed by the schedule of rentals. The applicant must also furnish a photostat, or other copy (both sides) of his certificate of honorable discharge, or of an official document of the branch of the service which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with the requirements of the decision accompanying the lease forms, will be cancelled upon the records, and the lot will become available to the alternate next in line as determined by the drawing.

Each entrant to whom no lot is allocated will be informed thereof by the return of his drawing entry card carrying a notation to that effect.

6. Lessees will be required within a reasonable time after execution of the lease to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which in the circumstances are presentable, substantial, and appropriate for the use for which the lease is issued. Detailed specifications as to the improvement requirements will be made part of the lease terms and option to purchase.

7. Lessees or their successors in interest shall comply with all Federal, State, County, and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized officer of the Bureau of Land Management.

8. Leases will contain an option to purchase clause at the appraised value of the lots as follows:

Lots 1 through 8, 11, 12, 18, 19, $100 each.
Lot 14, $200.
Lots 9, 13, 16, 21, $250 each.
Lots 10, 17, and 20, $300 each.

9. Lease and sale of these lots will be made subject to rights of way for roads and public utilities as follows:

50 feet along the south boundaries of Lots 9, 10, 13, and 14.
50 feet along the north boundaries of Lots 16, 17, 20, and 21.
30 feet along the south boundaries of Lots 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 16, and 17.
30 feet along the north boundaries of Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, and 19.
30 feet along the east boundaries of Lots 3, 6, 11, 14, and 20.
30 feet along the west boundaries of Lots 2, 7, 10, 16, and 19.

10. Such rights of way may be utilized by the Federal government, or the State, County, or municipality in which the tract is situated, or by any agency thereof. The rights of way, in the discretion of the authorized officer of the Bureau of Land Management, may be definitely located prior to the issuance of the patents. If not so located, they may be subject to location after patent is issued. Lease and sale of the lots will also be subject to all existing rights of way.

11. The lots, if any, which are not leased as a result of the drawing, will not become subject to application by veterans who do not participate in the drawing or by the general public until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

12. All inquiries relating to these lands should be addressed to the Manager, Land and Survey Office, Cheyenne, Wyoming.

MAX CAPLAN,
Acting Regional Administrator

[F. R. Doc. 54-1505; Filed, Mar. 3, 1954; 8:45 a. m.]

WYOMING

ORDER OPENING LANDS TO MINERAL LOCATION, ENTRY AND PATENTING

FEBRUARY 26, 1954.

Under authority of the act of April 23, 1932 (47 Stat. 136, 43 U. S. C. 154), and the regulations thereunder contained in 43 CFR 185.36, and pursuant to section 2.22 of Order No. 2583 of August 16, 1950, of the Secretary of the Interior (15 F. R. 5645) and the same section of Order No. 427 of August 16, 1950, of the Director of the Bureau of Land Management (15 F. R. 5641) it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following described lands shall, commencing at 10:00 a. m., on the thirty-fifth day after the date of this order, be open to location, entry and patenting under the United States mining laws, subject to the stipulation quoted below, to be executed and acknowledged in favor of the United States by the locators, for themselves, their heirs, successors and assigns, and recorded in the county records and in the United States Land and Survey Office at Cheyenne, Wyoming, before locations are made:

SIXTH PRINCIPAL MERIDIAN

T. 52 N., R. 102 W.,
Sec. 28: S½NE¼, N½SE¼, SE¼SE¼, Lot 5.

The area described aggregates 239.74 acres.

The locator agrees that all prospecting, mining and other use and operations on the lands covered by his mining location shall be subject to the reservation of right of way to the United States according to proviso of the act of August 30, 1890 (26 Stat. 391, 43 U. S. C. sec. 945)

MAX CAPLAN,
Acting Regional Administrator

[F. R. Doc. 54-1507; Filed, Mar. 3, 1954; 8:46 a. m.]

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 128, WYOMING NO. 13, REDUCED

FEBRUARY 23, 1954.

Pursuant to the authority delegated by the Director, Bureau of Land Management, in section 2.22 (a) (1) of Order No. 427, dated August 16, 1950 (15 F. R. 5639), it is ordered as follows:

Subject to valid rights and the provisions of existing withdrawals, the Departmental Orders dated February 2, 1924, and December 15, 1925, withdrawing public lands for stock driveway purposes as an addition to Stock Driveway Withdrawal No. 128, Wyoming No. 13, under section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U. S. C. 300) are hereby revoked so far as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 44 N., R. 85 W.
Sec. 6: SW¼SW¼NE¼, S½NE¼NW¼, SE¼NW¼, E½SW¼, W½W½SE¼.
Sec. 7: SE¼SE¼, E½SW¼SE¼.
Sec 8: SW¼SW¼.
Sec. 18: NE¼NE¼, E½NW¼NE¼.

The areas described aggregate 350 acres.

These lands are rolling to rough in topography, and the soils are clay loam. The vegetative covering consists chiefly of wheatgrass and bluegrass.

The public lands described above are included in a Federal exchange program under section 8 of the Taylor Grazing Act whereby private lands will be acquired in exchange therefor to provide continuity in the stock driveway. This restoration is therefore not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, granting preference rights to veterans of World War II and others.

MAX CAPLAN,
Acting Regional Administrator.

[F. R. Doc. 54-1517; Filed, Mar. 3, 1954; 8:48 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

FEBRUARY 26, 1954.

An application, serial number Colorado 07596, for the withdrawal from all forms of appropriation under the public land laws, except mineral leasing of the lands described below was filed on December 10, 1953, by the United States Fish and Wildlife Service.

The purposes of the proposed withdrawal: warm water fishery.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Regional Administrator, Region IV, Bureau of Land Management, Department of the Interior at Post Office Box 659, Salt Lake City 10, Utah. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN

T. 9 S., R. 103 W.,
Sec. 12, NE¼SW¼SW¼SW¼, NE¼NW¼SW¼SW¼SW¼, S½NW¼SW¼SW¼SW¼, S½SW¼SW¼SW¼, SE¼SW¼SW¼.
Sec. 13, W½ of Lot 2.

RALPH J. MITCHELL,
Acting Regional Administrator.

[F. R. Doc. 54-1506; Filed, Mar. 3, 1954; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended June 2, 1952, 17 F. R. 3818).

Berlin Manufacturing Co., Inc., Berlin, Md., effective 2-20-54 to 2-19-55; 10 learners for normal labor turnover purposes (work shirts, etc.).

Carwood Manufacturing Co., Lavania, Ga., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts and work pants).

Carwood Manufacturing Co., Monroe, Ga., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees, coveralls, etc.).

Carwood Manufacturing Co., Baldwin, Ga., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts and work pants).

Carwood Manufacturing Co., Cornelia, Ga., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts).

Federal Sportswear, Inc., Third Floor, 210 Pryor Street, Atlanta, Ga., effective 2-18-54 to 2-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sportswear).

Freeland Manufacturing Co., 155 Ridge Street, Freeland, Pa., effective 3-1-54 to 2-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's sport shirts and jackets).

General Garment Manufacturing Co., Inc., 308 Canal Street, Petersburg, Va., effective 3-3-54 to 3-2-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (shirts).

Joel Manufacturing Co., 144 Hazle, Wilkes-Barre, Pa., effective 2-16-54 to 2-15-55; 5 learners for normal labor turnover purposes (dresses).

Macon Garment Co., Inc., Macon, Miss., effective 2-19-54 to 12-8-54; 10 percent of the total number of factory production workers for normal labor turnover purposes

(men's and boys' pants) (replacement certificate).

Martin Shirt Co., 27 East Poplar Street, Shenandoah, Pa., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' sport and dress shirts and ladies' blouses).

Nanticoke Dress Co., 216 East Broad Street, Nanticoke, Pa., effective 2-19-54 to 2-18-55; 10 learners for normal labor turnover purposes (dresses).

Perfection Garment Co., Inc., Martinsburg and Ranson, W. Va., effective 2-18-54 to 2-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Perfection Garment Co., Inc., Keyser, W. Va., effective 2-18-54 to 2-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Playcraft Corp., Saltillo, Miss., effective 2-20-54 to 2-19-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's sportswear).

Quarles Manufacturing Co., Ranger, Tex., effective 2-17-54 to 2-16-55; 10 learners for normal labor turnover purposes (men's and boys' sportswear and boys' western pants).

Reliance Manufacturing Co., "Plantation Factory," Montgomery, Ala., effective 2-19-54 to 2-18-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Sandye Shirt Corp., Portland, Tenn., effective 2-16-54 to 8-15-54; 50 learners for plant expansion purposes (men's and boys' sport shirts).

Southern Maid Garment, Inc., Winnsboro, S. C., effective 2-16-54 to 2-15-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's dresses).

Levi Strauss & Co., 501 Travis Street, Wichita Falls, Tex., effective 2-16-54 to 2-15-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (overalls).

Su-Ann Togs, 73 South Main Street, Barnegat, N. J., effective 2-18-54 to 2-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's dresses).

Summit Sportswear Co., 44 West Ludlow Street, Summit Hill, Pa., effective 2-18-54 to 2-17-55; 5 learners for normal labor turnover purposes (ladies' blouses).

Tex-Son, Inc., 419 South St. Mary's Street, San Antonio, Tex., effective 3-5-54 to 3-4-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' sport and outerwear garments).

Toll-Gate Garment Co., Inc., Hamilton, Ala., effective 2-23-54 to 2-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

The Turner Manufacturing Co., West Cedar Street, Goodlettsville, Tenn., effective 2-23-54 to 2-22-55; 10 learners for normal labor turnover purposes (shirts).

United Pants Co., Inc., R. D. No. 2, Mountaintop, Pa., effective 2-23-54 to 2-22-55; 5 learners for normal labor turnover purposes (trousers and jackets).

Will Manufacturing Co., 210 Pryor Street, Second Floor, Atlanta, Ga., effective 2-18-54 to 2-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (convalescent coats).

Wilmer Fashion, Lehighton, Pa., effective 2-20-54 to 2-19-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Womble-Campbell Manufacturing Co., 117 West Second, Hereford, Tex., effective 3-9-54 to 3-8-55; 5 learners for normal labor turnover purposes (women's and children's lingerie).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as amended November 19, 1951, 16 F. R. 10733)

Interstate Hosiery Mills, Inc., Line and Penn Streets, Lansdale, Pa., effective 2-16-54 to 2-15-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Interstate Hosiery Mills, Inc., Elkton, Md., effective 2-20-54 to 2-19-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pa., effective 3-2-54 to 3-1-55; 5 learners for normal labor turnover purposes.

Newland Hosiery Co., Inc., Newland, N. C., effective 2-19-54 to 10-18-54; 25 learners for expansion purposes.

Pilot Full Fashion Mills, Inc., Valdese, N. C., effective 2-19-54 to 2-18-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended January 25, 1950, 15 F R. 398)

The Cass County Telephone Co., Pleasant Hill, Mo., effective 3-2-54 to 3-1-55.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

Haspel, Inc., Tylertown, Miss., effective 2-19-54 to 2-18-55; 7 percent of the total number of factory production workers for normal labor turnover purposes: Machine operators (except cutting); pressers; handsewers; each 480 hours. At least 65 cents an hour for the first 240 hours and at least 70 cents an hour for the remaining 240 hours (men's and boys' summer clothing).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER, pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 23d day of February 1954.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 54-1509; Filed, Mar. 3, 1954; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2909]

AMERICAN AIRLINES, INC.

NOTICE OF PREHEARING CONFERENCE

At the instruction of the Board a prehearing conference covering that portion of the application of American Airlines, Inc., in Docket No. 2909, making possible nonstop service between New York, N. Y., and Mexico City, is hereby assigned to be held on March 25, 1954, at 10:00 a. m., e. s. t., in Room 7852, Commerce Building, Fourteenth and Constitution Avenue NW., Washington, D. C., before Examiner Thomas L. Wrenn.

Dated at Washington, D. C., March 1, 1954.

[SEAL] FRANCIS W BROWN,
Chief Examiner

[F. R. Doc. 54-1553; Filed, Mar. 3, 1954; 8:54 a. m.]

[Docket No. 4052 et al.]

BRANIFF AIRWAYS; SERVICE TO FAIRMONT, MINN., AND FORT DODGE, IOWA

NOTICE OF PREHEARING CONFERENCE

In the matter of whether the public convenience and necessity require (a) amendment of Braniff Airways' certificate of public convenience and necessity for route No. 26 to authorize service to Fairmont, Minn., and (b) amendment of Braniff Airways' certificate of public convenience and necessity for route No. 48 to authorize service to Fort Dodge, Iowa.

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on March 10, 1954, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., February 26, 1954.

[SEAL] FRANCIS W BROWN,
Chief Examiner.

[F. R. Doc. 54-1551; Filed, Mar. 3, 1954; 8:54 a. m.]

[Docket No. 6411 et al.]

AMERICAN AIRLINES, INC.

NOTICE OF HEARING

In the matter of an investigation of local service between Chicago, Ill., and Detroit, Mich.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 401, and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on April 12, 1954, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues presented by the applications particular attention will be directed to the following matters:

1. Whether the public convenience and necessity require amendment of the certificate held by North Central Airlines, Inc., for its route No. 86 so as to authorize service between the terminal points Chicago, Ill., and Detroit, Mich., via the intermediate points South Bend, Ind., Kalamazoo, Battle Creek, Jackson, and Ann Arbor, Mich. (Docket No. 6276)

2. Whether the public convenience and necessity require amendment of the cer-

tificate held by Lake Central Airlines, Inc., for route No. 88 so as to authorize service between the terminal points Chicago, Ill., and Detroit, Mich., via the intermediate points South Bend, Ind., Kalamazoo, Battle Creek, Jackson, and Ann Arbor, Mich. (Docket No. 6319).

3. Whether the public convenience and necessity require the amendment of the certificate held by Ozark Airlines, Inc., for route no. 107 so as to authorize service between the terminal points Chicago, Ill., and Detroit, Mich., via the intermediate points South Bend, Ind., Kalamazoo, Battle Creek, Jackson and Ann Arbor, Mich. (Docket No. 6439)

4. An investigation, Docket No. 6411, instituted by Board Order, No. E-7899, to determine whether the public convenience and necessity require the amendment, modification or alteration of the certificate held by American Airlines, Inc., for such period as the Board may determine, so as to authorize the suspension of service at Ann Arbor, Battle Creek, Jackson, and Kalamazoo, Mich., and South Bend, Ind., on route No. 7, in the event and to the extent that such points are certificated for service by North Central and/or Lake Central or Ozark on a route segment between Chicago and Detroit.

5. In the event of authorization under 1, 2, or 3 is the carrier selected to render the service, fit, willing, and able to perform such service.

For further details of the service proposed, the authorizations requested, and the investigation instituted, interested parties are referred to the applications, the Board's Order, No. E-7899, other pertinent orders, and the prehearing conference report which are on file with the Civil Aeronautics Board.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding must file with the Civil Aeronautics Board on or before April 12, 1954, a statement setting forth the issues of fact or law which he desires to controvert.

Dated at Washington, D. C., March 1, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 54-1550; Filed, Mar. 3, 1954; 8:54 a. m.]

[Docket No. 6485]

TRANS-TEXAS AIRWAYS; CERTIFICATE RENEWAL CASE

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of Trans-Texas Airways under section 401 of the Civil Aeronautics Act of 1938, as amended, for a permanent certificate of public convenience and necessity and/or renewal of its present certificate for Route No. 82 for a period of 10 years.

Notice is hereby given that a prehearing conference in the above-entitled proceeding is hereby assigned to be held on March 18, 1954, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter Bryan.

Dated at Washington, D. C., February 26, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-1553; Filed, Mar. 3, 1954; 8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10923, 10924, 10925]

INDIANA BELL TELEPHONE CO.

ORDER ASSIGNING MATTER FOR HEARING

In the matter of the application of Indiana Bell Telephone Company, for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire certain telephone plant and property of the Hope Independent Telephone Company and the telephone plant and property of Taylorsville Telephone Company, Inc., Docket No. 10923, File No. P-C-3392.

In the matter of the application of Indiana Bell Telephone Company, for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire the telephone plant and property of William M. Miller and Ethelyn Miller, d/b as Spencerville Telephone Company; Docket No. 10924, File No. P-C-3393.

In the matter of the application of Indiana Bell Telephone Company, for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire the capital stock and the telephone plant and property of the Attica Telephone Company, Cayuga Telephone Corporation, the Citizens Mutual Telephone Company, the Citizens Telephone Company, Coal Creek Telephone Corporation, Darlington Telephone Company, Fountain Telephone Corporation, Indiana Western Telephone Corporation, Ladoga Telephone Company, the Oxford Telephone Company, State Line Telephone Corporation, Wabash Prairie Telephone Corporation and Wabash Valley Utilities Corporation; Docket No. 10925, File No. P-C-3394.

The Commission having under consideration applications filed by Indiana Bell Telephone Company for certificates under section 221 (a) of the Communications Act of 1934, as amended, that the acquisitions of (1) certain telephone plant and property of Hope Independent Telephone Company, (2) the telephone plant and property of Taylorsville Telephone Company, Inc., and William M. Miller & Ethelyn Miller, d/b as Spencerville Telephone Company, and (3) the capital stock and the telephone plant and property of the Attica Telephone Company, Cayuga Telephone Corporation, the Citizens Mutual Telephone Company, the Citizens Telephone Company, Coal Creek Telephone Corporation, Darlington Telephone Company, Fountain Telephone Corporation, Indiana Western Telephone Corporation, Ladoga Telephone Company, the Oxford Telephone Company, State Line Telephone Corporation, Wabash Prairie Telephone Corporation and Wabash Valley Utilities Corporation, will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is ordered, This 26th day of February 1954, that pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above applications are assigned for public hearing in a consolidated proceeding for the purpose of determining whether the proposed acquisitions will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is furher ordered, That the hearing upon said applications be held at the offices of the Commission in Washington, D. C. beginning at 10 a. m. on the 22d day of March 1954, and that a copy of this order shall be served upon the Governor of Indiana, the Governor of Illinois, the Public Service Commission of Indiana, the Commerce Commission of Illinois, Indiana Bell Telephone Company, each of the above-specified telephone companies proposed to be acquired, Hoosier Telephone Cooperative, Inc., and the Postmasters of Hope, Hartsville, Flat Rock, Taylorsville, Clifford, Elizabethtown, Grammer, Spencerville, Attica, Cayuga, Dana, Newport, Mellott, Newtown, Russellville, Waveland, Darlington, Covington, Stone Bluff, Boswell, Freeland Park, Otterbein, Pine Village, Ladoga, Oxford, Ambia, Pence, State Line, Tab, West Lebanon, Williamsport, Buck Creek, Burlington, Moracco, Veedersburg, Waynetown, Cates, and Kingman, Indiana;

It is further ordered, That within ten days after the receipt from the Commission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in the cities referred to above, and in Bartholomew, Shelby, Dekalb, Fountain, Vermillion, Putnam, Montgomery, Benton, Warren, Tippecanoe, Carroll, and Newton Counties, Indiana, and shall furnish proof of such publication at the hearing herein.

Released: February 26, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-1544; Filed, Mar. 3, 1954; 8:52 a. m.]

[Docket Nos. 10931, 10932, 10933]

MERCER BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Mercer Broadcasting Company, Trenton, New Jersey, Docket No. 10931, File No. BP-8714, Delaware Valley Broadcasting Corporation, Morrisville, Pennsylvania, Docket No. 10932, File No. BP-8799; Drew J. T. O'Keefe, Jack J. Dash and William F. Waterbury, Levittown-Fairless Hills, Pennsylvania, Docket No. 10933, File No. BP-8964; for construction permits.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 24th day of February 1954,

The Commission having under consideration the above-entitled applications for construction permits of Mercer Broadcasting Company, Trenton, New Jersey· Delaware Valley Broadcasting Corporation, Morrisville, Pennsylvania, and Drew J. T. O'Keefe, Jack J. Dash and William F. Waterbury, Levittown-Fairless Hills, Pennsylvania, to operate a new standard broadcast station in their respective locations on 1490 kilocycles, 250 watts, unlimited time;

It appearing, that each applicant is legally, financially, technically and otherwise qualified to operate the proposed station, but that the operation of the stations as proposed would result in mutually prohibitive interference with each other· and that each of the proposed operations would cause daytime interference to and receive daytime interference from the proposed operation of Station WDAS, Philadelphia, Pennsylvania (File No. BP-8508; Docket No. 10320), Greenwich Broadcasting Corporation, Greenwich, Connecticut (File No. BP-6315; Docket No. 8716), Atlantic City Broadcasting Company, Atlantic City, New Jersey (File No. BP-8090; Docket No. 10119), and the Press-Union Publishing Company, Atlantic City, New Jersey (File No. BP-8143; Docket No. 10121) and would fail to comply with the provisions of the Standards of Good Engineering Practice with respect to providing the recommended minimum of interference-free service to the area within the proposed stations' normally protected (0.5 mv/m) contour· and

It further appearing, that the proposed nighttime operation of Mercer Broadcasting Company would not adequately serve the Trenton Metropolitan District in accordance with the Standards of Good Engineering Practice; and

It further appearing, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letters dated October 21, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of any of the applications would be in the public interests; and

It further appearing, that each of the applicants has replied to the Commission's letters; and oppositions to the proposed applications were filed by Station WDAS, and Greenwich Broadcasting Corporation; and

It further appearing, that, the Commission, after reviewing the respective amendments and replies of the applicants and the respective opposition of Station WDAS and Greenwich Broadcasting Corporation, is still of the opinion that a hearing is necessary·

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed stations would involve objectionable interference with the proposed operation of Station WDAS, Philadelphia, Pennsylvania (File No. BP-8508; Docket No. 10320), Greenwich Broadcasting Corporation, Greenwich, Connecticut (File No. BP-6315; Docket No. 8716) Atlantic City Broadcasting Company, Atlantic City, New Jersey (File No. BP-8090; Docket No. 10119) and the Press-Union Publishing Company, Atlantic City, New Jersey (File No. BP-8143; Docket No. 10121) and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the proposed nighttime operation of Mercer Broadcasting Company will adequately serve the Trenton Metropolitan District in accordance with the Standards of Good Engineering Practice.

4. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to providing the recommended minimum of interference-free service to the area within the proposed stations' normally protected (0.5 mv/m) contour.

5. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the applicants would provide the more fair, efficient and equitable distribution of radio service.

6. To determine, on a comparative basis, which of the operations proposed in the above-entitled applications would best serve the public interest, convenience or necessity in the light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

It is further ordered, That Station WDAS, Philadelphia, Pennsylvania, Greenwich Broadcasting Corporation, Greenwich, Connecticut, Atlantic City Broadcasting Company, Atlantic City, New Jersey, and Press-Union Publishing Company, Atlantic City, New Jersey are made parties to said proceeding.

Released: March 1, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-1545; Filed, Mar. 3, 1954; 8:52 a. m.]

[Docket No. 10934]

HANFORD BROADCASTING CO. OF CALIFORNIA (KNGS)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Hanford Broadcasting Company of California (KNGS), Hanford, California, for construction permit; File No. BP-8888, Docket No. 10934.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of February 1954;

The Commission having under consideration the above-entitled application of Hanford Broadcasting Company, licensee of Station KNGS (620kc, 1kw, DA-N, U) in Hanford, California, for a construction permit to increase power to 5 kw, using directional antenna both day and night, unlimited time; and

It appearing, that the applicant is legally, financially, technically and otherwise qualified to operate the proposed station, but that operating as proposed Station KNGS would cause daytime interference to Station KFRC, San Francisco, California (610 kc, 5 kw, U), and would fail to comply with the provisions of the Standards of Good Engineering Practice with respect to providing the recommended minimum of interference-free service to the area within the station's proposed normally protected nighttime contour (2.5 mv/m), and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised by letter dated December 9, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the Commission, after consideration of the reply of the applicant and the opposition of General Teleradio, Inc., licensee of Station KFRC, and the above-entitled application as amended on February 2, 1954, is still of the opinion that a hearing is necessary;

It is ordered, That pursuant to section 309 (b) of the Communications Act, as amended, the said application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of the station, and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation at Hanford, California, would involve objectional interference with Station KFRC, San Francisco, California, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the installation and proposed operation of the station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning

Standard Broadcast Stations with particular reference to providing the recommended minimum of interference-free service to the area within the station's proposed normally protected nighttime contour (2.5 mv/m)

It is further ordered, That General Teleradio, Inc., licensee of Station KFRC, San Francisco, California is made a party to said proceeding.

Released: March 1, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-1546; Filed, Mar. 3, 1954; 8:53 a. m.]

[Docket No. 10938]

PLASTOY CO., INC.

ORDER ASSIGNING MATTER FOR HEARING

In the matter of cease and desist order to be directed to Plastoy Company, Incorporated, 814 West Palisade Avenue, Englewood, New Jersey· Docket No. 10938.

The Commission having under consideration the issuance of an order pursuant to section 312 (b) of the Communications Act of 1934, as amended, to Plastoy Company, Incorporated (hereinafter referred to as Plastoy Company, Inc.) to cease and desist from violating Part 18 of the Commission's rules by operating electronic heating equipment which (1) is the source of interference to authorized radio services, and (2) is not certified or licensed in accordance with the Commission's rules;

It appearing, that Plastoy Company, Inc., operates in its plant at 814 West Palisade Avenue, Englewood, New Jersey, certain industrial heating equipment operating on approximately 30 Mc which is subject to the requirements of §§ 18.1, 18.2 (c), 18.3, 18.4, 18.21, 18.22, 18.23, 18.24 and 18.41 through 18.49 of the Commission's rules; and

It further appearing, that the aforementioned equipment causes interference to an authorized radio communication system operated by the United States Army in the vicinity of New York, N. Y., and

It further appearing, that the aforementioned equipment has not been certified by a duly qualified engineer or the manufacturer of the equipment as required by § 18.22 of the Commission's rules, nor has the equipment been licensed pursuant to § 18.41 of the Commission's rules; and

It further appearing, that the above facts have been called to the attention of the Plastoy Company, Inc., by the Commission both orally and in writing, and that the Company has been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements but such demonstration has not been made and such compliance has not been accomplished;

It is ordered, This 26th day of February 1954, pursuant to section 312 (c) of the Communications Act of 1934, as amended, and pursuant to the Commission's order of September 30, 1953, delegating authority to the Chief, Field Engineering and Monitoring Bureau to issue orders to show cause why cease and desist orders should not be issued with respect to Industrial, Scientific and Medical Equipment, that the Plastoy Company, Inc., be and it is hereby directed to show cause why there should not be issued an order commanding it to cease and desist from violating the provisions of Part 18 of the Commission's rules by operating industrial heating equipment without the certification or license required by Part 18 of the Commission's rules, and by operating such equipment in a manner which causes interference to authorized radio services; and

It is further ordered, That a hearing in this matter be held in New York, N. Y., at 10:00 a. m. on the 5th day of April 1954, in order to determine whether said cease and desist order should be issued, and that Plastoy Company, Inc., is herewith called upon to appear at this hearing and give evidence upon the matters specified herein; and

It is further ordered, Pursuant to § 1.402 of the rules, that said Plastoy Company, Inc., is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that the Plastoy Company, Inc., will appear and present evidence on the matter specified in this order if the Plastoy Company, Inc., desires to avail itself of its opportunity to appear before the Commission. If said Plastoy Company, Inc., does not desire to appear before the Commission and give evidence on the matter specified herein, it shall, within thirty days of the receipt of this order, file with the Commission; in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Plastoy Company, Inc., believes that a cease and desist order should not be issued, and

It is further ordered, That failure of said Plastoy Company, Inc., timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: March 1, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-1547; Filed, Mar. 3, 1954; 8:53 a. m.]

[Docket No. 10940]

ACME MANUFACTURING CO.

ORDER ASSIGNING MATTER FOR HEARING

In the matter of cease and desist order to be directed to Arthur Goldner, tr/as Acme Manufacturing Company, 195 Chrystie Street, New York, N. Y., Docket No. 10940.

The Commission having under consideration the issuance of an order pursuant to section 312 (b) of the Communications Act of 1934, as amended, to Arthur Goldner, tr/as Acme Manufacturing Company (hereinafter referred to as Acme Manufacturing Company) to cease and desist from violating Part 18 of the Commission's rules by operating electronic heating equipment which (1) is the source of interference to authorized radio services, and (2) is not certified or licensed in accordance with the Commission's rules;

It appearing, that Acme Manufacturing Company operates in its plant at 195 Chrystie Street, New York, N. Y., certain industrial heating equipment operating on approximately 30 Mc which is subject to the requirements of §§ 18.1, 18.2 (c) 18.3, 18.4, 18.21, 18.22, 18.23, 18.24 and 18.41 through 18.49 of the Commission's rules; and

It further appearing, that the aforementioned equipment causes interference to an authorized radio communication system operated by the United States Army in the vicinity of New York, N. Y., and

It further appearing, that the aforementioned equipment has not been certified by a duly qualified engineer or the manufacturer of the equipment as required by § 18.22 of the Commission's rules, nor has the equipment been licensed pursuant to § 18.41 of the Commission's rules; and

It further appearing, that the above facts have been called to the attention of the Acme Manufacturing Company by the Commission both orally and in writing, and that the Company has been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements but such demonstration has not been made and such compliance has not been accomplished;

It is ordered, This 26th day of February 1954, pursuant to section 312 (c) of the Communications Act of 1934, as amended, and pursuant to the Commission's order of September 30, 1953, delegating authority to the Chief, Field Engineering and Monitoring Bureau to issue orders to show cause why cease and desist orders should not be issued with respect to Industrial, Scientific and Medical Equipment, that the Acme Manufacturing Company be and is hereby directed to show cause why there should not be issued an order commanding it to cease and desist from violating the provisions of Part 18 of the Commission's rules by operating industrial heating equipment without the certification or license required by Part 18 of the Commission's rules, and by operating such equipment in a manner which causes interference to authorized radio services; and

It is further ordered, That a hearing in this matter be held in New York, N. Y., at 10:00 a. m. on the 9th day of April 1954, in order to determine whether said cease and desist order should be issued, and that Acme Manufacturing Company is herewith called upon to appear at this hearing and give evidence upon the matters specified herein; and

It is further ordered, Pursuant to § 1.402 of the rules, that said Acme Manufacturing Company is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that the Company will appear and present

evidence on the matter specified in this order if the Company desires to avail itself of its opportunity to appear before the Commission. If said Acme Manufacturing Company does not desire to appear beore the Commission and give evidence on the matter specified herein, it shall, within thirty days of the receipt of this order, file with the Commission, in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Acme Manufacturing Company believes that a cease and desist order should not be issued, and

It is further ordered, That failure of said Acme Manufacturing Company timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: March 1, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-1548; Filed, Mar. 3, 1954; 8:53 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY TO PROCURE LEASE OF SPACE AT UNIVERSITY OF VIRGINIA

1. Pursuant to authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, I hereby authorize the Secretary of Defense to procure by lease for a term not in excess of five years, in accordance with section 3 of the Act of August 27, 1935, as amended (40 U. S. C. 304c) necessary space at the University of Virginia, Charlottsville, Virginia.

2. Any such lease shall be executed by January 1, 1955 and may be amended or renewed from time to time, but any single renewal for longer than one year shall require approval of the Administrator of General Services.

3. The Secretary of Defense may redelegate this authority to any officer or employee of the Department of Defense.

4. This delegation of authority is effective immediately.

Dated: February 25, 1954.

EDMUND F. MANSURE,
Administrator

[F. R. Doc. 54-1534; Filed, Mar. 3, 1954; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3178]

GENERAL PUBLIC UTILITIES CORP.

ORDER REGARDING INCREASE IN AUTHORIZED COMMON STOCK

FEBRUARY 26, 1954.

General Public Utilities Corporation ("GPU") a registered holding company, having filed a declaration pursuant to sections 6 (a) 7 and 12 (e) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-62 and U-65 of the rules and regulations promulgated thereunder with respect to proposed transactions which are summarized as follows:

Subject to the obtaining of favorable action by its stockholders at the annual meeting of stockholders of GPU to be held on April 5, 1954, GPU proposes to increase the number of shares of its authorized common stock from 9,893,000 shares to 12,500,000 shares. The purpose of such increase in the authorized common stock of GPU is to make provision for the obtaining, as needed from time to time, of the common stock equity component of the capital requirements of the GPU holding company system. The number of shares of GPU common stock issued and outstanding in the hands of the public at the close of business on October 31, 1953, was 9,098,640, including 2,752 shares then held by the Exchange Agent under the Plan of Reorganization of Associated Gas and Electric Company and Associated Gas and Electric Corporation. At that date 76,479 shares of common stock of GPU were held in its treasury. Upon the completion of GPU's projected 1954 common stock program, GPU's presently authorized but unissued common stock will be substantially exhausted.

It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. In addition to ordinary expenditures in connection with preparing, assembling, and mailing proxies, proxy statements and accompanying data, GPU expects to request persons who hold stock for others to forward copies of this material to them and may reimburse such persons for their clerical and out-of-pocket expenses which, it is estimated, will not exceed $2,000.00 exclusive of postage. Compensation for services of GPU's counsel will be included in the compensation paid to such counsel for general services.

Due notice having been given of the filing of the declaration, a request for a hearing not having been received from any interested person and a hearing not having been ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective, forthwith, without the imposition of conditions, other than those specified in Rule U-24:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration, as amended, be, and it hereby is, permitted to become effective, forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-1510; Filed, Mar. 3, 1954; 8:46 a. m.]

[File No. 70-3193]

INTERSTATE POWER CO.

ORDER REGARDING BORROWING FROM COMMERCIAL BANKS

FEBRUARY 26, 1954.

Interstate Power Company ("Interstate"), a registered holding company, having filed a declaration with this Commission pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding a transaction therein proposed, which is summarized as follows:

Interstate proposes to issue and sell, at any time or from time to time up to and including December 31, 1954, pursuant to private sale at par in accordance with the terms of a credit agreement dated January 20, 1954, its unsecured promissory notes payable severally to the order of the Chase National Bank of the City of New York and Manufacturers Trust Company, respectively, in equal amounts, not to exceed $2,000,000 to each of said banks and in total $4,000,000. Said notes are to be dated the respective dates of their delivery, shall each be expressed to mature on or before 360 days from the date of the first borrowing under said agreement, or May 31, 1955, whichever date shall be earlier, and shall bear interest from their date, payable on the last days of March, June, September and December of each year at the rate of 3½ percent per annum. Each of said notes shall permit prepayment in whole or in part at any time without premium or penalty but with interest then accrued on the principal sum prepaid provided that if such prepayment is made either directly or indirectly from the proceeds, or in anticipation, of any bank borrowing, the Company will pay at the same time a premium calculated at the rate of 1 percent per annum on the principal sum so prepaid from the date of such prepayment to the stated maturity of the notes so prepaid, and each of said notes shall be issued in all respects in compliance with the terms of said credit agreement. Interstate proposes to pay each of said lending banks, as a commitment fee, the sum of $5,000.

Fees and expenses, exclusive of the commitment fees, are estimated at $5,000 which includes counsel fees of $3,500 to be paid to Springer, Bergstrom and Crowe. It is stated that no State or Federal Commission other than this Commission has jurisdiction over the proposed transactions. It is requested that the Commission's order herein become effective upon issuance.

Due notice having been given of the filing of the declaration, and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions contained in Rule U-24, that said decla-

ration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-1511; Filed, Mar. 3, 1954; 8:47 a. m.]

SCOTT, KHOURY & CO., INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 26th day of February 1954.

In the matter of Scott, Khoury & Company, Inc., 61 Broadway, New York 6, New York.

I. The Commission's public official files disclose that:

A. Scott, Khoury & Company, Inc., formerly Scott, Khoury, Brockman & Company, Inc., a New York Corporation, hereinafter referred to as registrant, has been registered with the Commission as a broker and dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934 since July 14, 1952. Charles Scott (Scott) was the president, director and controlling stockholder of registrant until March 26, 1953. Louis Khoury (Khoury) has been an officer and director of registrant at all times since July 14, 1952 and since March 26, 1953 its president and controlling stockholder.

B. On August 28, 1952, Oklahoma Metropolitan Oil & Gas Corporation filed with the Commission a Letter of Notification pursuant to Regulation A of the general rules and regulations under the Securities Act of 1933 covering an offering of 150,000 shares of 1¢ par value common stock at an aggregate offering price of $15,000 and a unit price of 10¢ per share; said Letter of Notification named Scott, Khoury, Brockman & Company, Inc., as underwriter of the said offering.

C. On September 29, 1952, Oklahoma Metropolitan Oil & Gas Corporation filed with the Commission a Letter of Notification pursuant to Regulation A of the general rules and regulations under the Securities Act of 1933 covering an offering of 1,132,000 shares of 1¢ par value common stock at an aggregate offering price of $283,000 and a unit price of 25¢ per share, said Letter of Notification named Scott, Khoury & Co., Inc., as underwriter of the said offering and stated that the underwriting discounts and commissions would be 6¼¢ per share.

II. Members of its staff have reported to the Commission information as a result of an investigation which, if true, tends to show that:

A. During the period from approximately August 28, 1952, to February 1, 1953 registrant, Scott, and Khoury sold to various persons and induced such persons to purchase shares of the common stock of Oklahoma Metropolitan Oil & Gas Corporation, and in connection therewith made false and misleading statements of material facts and omitted to state material facts concerning, among other things, the terms of a contract to purchase interests in certain leases, oil production, earnings, oil-well drilling operations, and the rise in the price of the stock.

B. Registrant, Scott, and Khoury used the mails, the means and instrumentalities of interstate commerce, and the means and instruments of transportation and communication in interstate commerce in the sale of securities as hereinabove set forth in paragraph A of section II.

C. Registrant effected, and Scott and Khoury caused registrant to effect, otherwise than on a national securities exchange, certain of the transactions hereinabove mentioned in paragraph A of section II.

III. The information reported to the Commission by members of the staff as set forth in section II hereof, if true, tends to show:

A. That registrant, Charles Scott, and Louis E. Khoury violated section 17 (a) of the Securities Act of 1933 in that, in the sale of securities, by the use of means and instruments of transportation and communication in interstate commerce and by the use of the mails, registrant, Charles Scott, and Louis E. Khoury employed devices, schemes, and artifices to defraud, obtained money and property by means of untrue statements of material facts and omissions to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, and engaged in transactions, practices and a course of business which would and did operate as a fraud and deceit upon the purchasers.

B. That registrant violated section 15 (c) (1) of the Securities Exchange Act of 1934 in that registrant made use of the mails and of the means and instrumentalities of interstate commerce to effect transactions in and to induce the purchase and sale of securities, otherwise than on a national securities exchange, by means of manipulative, deceptive, and other fraudulent devices and contrivances as defined in Rule X-15C1-2 (a) and (b) adopted by the Commission under said section; and that Charles Scott and Louis E. Khoury aided, abetted, counseled, commanded, induced, and procured such violation.

IV The Commission having considered the aforesaid information deems it necessary and appropriate in the public interest and for the protection of the investors that proceedings be instituted to determine:

(a) Whether the statements set forth in section II hereof are true;

(b) Whether registrant, Charles Scott, and Louis E. Khoury have wilfully violated section 17 (a) of the Securities Act of 1933;

(c) Whether registrant, Charles Scott, and Louis E. Khoury have wilfully violated section 15 (c) (1) of the Securities Exchange Act of 1934 and Rule X-15C1-2 (a) and (b) adopted by the Commission under said section;

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke the registration of registrant;

(e) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant;

(f) Whether, within the meaning of section 15A (b) (4) of the Securities Exchange Act of 1934, the Commission should find that Charles Scott and Louis E. Khoury or either of them is a cause of any order of revocation or suspension which may be entered pursuant to paragraphs (d) or (e) of section IV hereof.

V. *It is hereby ordered*, That a hearing for the purpose of taking evidence on the questions set forth in paragraph IV hereof, be held at the New York Regional Office of the Securities and Exchange Commission, 42 Broadway, New York, N. Y., on March 22, 1954 at 10:00 a. m., before William W. Swift, Hearing Examiner, or such other hearing examiner as the Commission may designate. Upon the completion of the taking of evidence in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX (b) of the rules of practice, unless such decision is waived.

This order and notice shall be served on registrant, Charles Scott and Louis E. Khoury, personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to March 22, 1954.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon this matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of that section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-1512; Filed, Mar. 3, 1954; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28950]

AMMONIUM SULPHATE FROM HOUSTON, TEX., TO EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Fertilizer compounds, viz: Ammonium sulphate, in bulk, carloads.

From: Houston, Tex.

To: East St. Louis, Ill.

Grounds for relief: Rail competiiton, circuity and competition with water carriers.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 313.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1520; Filed, Mar. 3, 1954; 8:49 a. m.]

[4th Sec. Application 28951]

CHEESE FROM TULLAHOMA, TENN., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Cheese, carloads.

From: Tullahoma, Tenn.

To: Points in southern territory.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short line distance formula, and additional origin.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1413, supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1521; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28952]

PHOSPHATE ROCK FROM FLORIDA MINES TO BELFAST, MAINE, AND POINTS GROUPED THEREWITH

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved: Phosphate rock, ground or not ground, slush and floats (refuse and washings from phosphate rock) and soft phosphate, not acidulated nor ammoniated, in bags or in bulk, carloads.

From: Florida mines.

To: Belfast, Maine, and points grouped therewith.

Grounds for relief: Competition with rail carriers, circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad I. C. C. No. B-3232, supp. 99; Seaboard Air Line Railroad I. C. C. No. A-8153, supp. 90.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1522; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28953]

BOARDS, BUILDING, WALL AND/OR INSULATING FROM MACON, GA., NEW ORLEANS, MARRERO AND CHALMETTE, LA., TO ADDISON AND PITTSFIELD, ILL.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to Agent W. P Emerson, Jr.'s tariff I. C. C. No. 418, pursuant to fourth-section order No. 16101.

Commodities involved: Boards, building, wall and/or insulating, viz: Fibreboard, pulpboard or strawboard, or fibreboard, pulpboard and strawboard and wood combined, carloads.

From: Macon, Ga., New Orleans, Marrero, and Chalmette, La.

To: Addison and Pittsfield, Ill. (West-side routing)

Grounds for relief: Rail competition, circuity, to maintain grouping and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1523; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28954]

SOAP, VEGETABLE OIL SHORTENING AND RELATED ARTICLES IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Alternate Agent, for carriers parties to schedule listed below.

Commodities involved: Soap and related articles, lard, lard compounds, vegetable oil shortening, and related articles, carloads.

Between: Points in official territory.

Grounds for relief: Rail competition, circuity, competition with motor carriers, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: H. R. Hinsch, Alternate Agent, I. C. C. No. 4577, supp. 3.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by

the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1524; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28955]

STARCH FROM ILLINOIS TERRITORY TO MOBILE, ALA., NEW ORLEANS, LA., AND POINTS IN FLORIDA

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for carriers parties to his tariffs I. C. C. Nos. 784 and 776 and Agent C. A. Spaninger's tariff I. C. C. No. 1062.

Commodities involved: Starch or dextrine, carloads, and starch, liquid, in tank-car loads.

From: Points in Illinois territory.

To: Mobile, Ala., New Orleans, La., and specified points in Florida.

Grounds for relief: Rail competition, circuity, market competition, and to maintain port rate relations.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1525; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28956]

LUMBER FROM PACIFIC COAST TERRITORY TO RICHFIELD, MINN.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Lumber, shingles, and related articles, carloads.

From: Points in Arizona, California, Nevada, New Mexico, Oregon, and Utah.

To: Richfield, Minn.

Grounds for relief: Rail competition, circuity, and to maintain grouping.

Schedules filed containing proposed rates: W J. Prueter, Agent, I. C. C. No. 1556, supp. 15.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1526; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28957]

LATEX FROM BATON ROUGE, LA., TO CARTERSVILLE, GA.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Latex (liquid crude rubber), in tank-car loads.

From: Baton Rouge and North Baton Rouge, La.

To: Cartersville, Ga.

Grounds for relief: Rail competition, circuity, to apply over rates constructed on the basis of the short line distance formula, and additional destination.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1400, supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1527; Filed, Mar. 3, 1954; 8:50 a. m.]

[4th Sec. Application 28953]

PHOSPHATE ROCK FROM FLORIDA TO JENKINS, LA.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved: Phosphate rock, carloads.

From: Florida mines.

To: Jenkins, La.

Grounds for relief: Competition with rail carriers and competition with motor, motor-rail, or motor-water carriers.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company, I. C. C. No. B-3232, supp. 99; Seaboard Air Line Railroad Company, I. C. C. No. A-8153, supp. 90.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1523; Filed, Mar. 3, 1954; 8:51 a. m.]

[4th Sec. Application 28959]

PHOSPHATE ROCK AND PHOSPHATIC LIMESTONE FROM POINTS IN TENNESSEE TO HULLS, ILL.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Phosphate rock and phosphatic limestone, carloads.

From: Points in Tennessee.

To: Hulls, Ill.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1386, supp. 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-1529; Filed, Mar. 3, 1954; 8:51 a. m.]

[4th Sec. Application 28960]

TRANSFORMER OIL IN THE SOUTHWEST

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Transformer oil, in tank-car loads.

Between: Points in southwestern territory, including southern Missouri and Kansas.

Grounds for relief: Rail competition, circuity, to apply rates constructed on the basis of the short line distance formula, and additional commodity.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 4086, supp. 9 F. C. Kratzmeir, Agent, I. C. C. No. 3821, supp. 135; F C. Kratzmeir, Agent, I. C. C. No. 3793, supp. 65; F. C. Kratzmeir, Agent, I. C. C. No. 3723, supp. 170; F. C. Kratzmeir, Agent, I. C. C. No. 3642, supp. 81.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1530; Filed, Mar. 3, 1954; 8:51 a. m.]

[4th Sec. Application 28961]

BITUMINOUS FINE COAL FROM ALABAMA, KENTUCKY, TENNESSEE, AND VIRGINIA TO KRANNERT AND YATES, GA.

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by Southern Railway Company for itself and on behalf of carriers parties to schedules listed below.

Commodities involved: Bituminous fine coal, carloads.

From: Mines in Alabama, eastern Kentucky, eastern Tennessee and southwest Virginia.

To: Krannert and Yates, Ga.

Grounds for relief: Rail competition, circuity, market competition, and to maintain grouping.

Schedules filed containing proposed rates: Southern Railway Company, I. C. C. No. A-11166, supp. 15; Southern Railway Company, I. C. C. No. A-11165, supp. 56.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-1531; Filed, Mar. 3, 1954; 8:51 a. m.]

[4th Sec. Application 28962]

CRUDE SULPHUR FROM ROSENBERG, TEX., TO POINTS IN SOUTHERN, CENTRAL, AND WESTERN TERRITORIES

APPLICATION FOR RELIEF

MARCH 1, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Crude sulphur, carloads.

From: Rosenberg, Texas.

To: Points in southern and central territories, Miami, Okla., Denver and Ladora, Colo., Clinton and Dubuque, Iowa, and Green Bay, Wis.

Grounds for relief: Rail competition, circuity, to maintain grouping, and additional origin.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3862, supp. 211.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 54-1532; Filed, Mar. 3, 1954; 8:51 a. m.]